



## **2020 COMPREHENSIVE PLAN**

**Update adopted by Mayor & Council  
July 19, 2021**

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# COMPREHENSIVE PLAN

## TOWN OF SMYRNA, DELAWARE

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# **TOWN OF SMYRNA**

## **COMPREHENSIVE PLAN**

### **2020 Update**

#### **Introduction & Executive Summary:**

This document is a formal update of the 2012 Town of Smyrna Comprehensive Plan and provides an overall framework to guide the town's land use decisions and annexation policy over the next 5 to 10 years. In addition, this document serves as a consolidated up-to-date reference containing the most recent demographic, housing, economic, environmental, and historical information about Smyrna.

The Town of Smyrna adopted its first Comprehensive Plan in 1973, which outlined strategies for the orderly development and growth of the Town, extension of public utilities, and for the construction of new public facilities. A new Comprehensive Plan was adopted by the Smyrna Town Council on April 18, 1988, which was subsequently amended in April 1997. The 2002 update to the Comprehensive Plan for the Town of Smyrna, Delaware was adopted by the Mayor and Council on February 18, 2003. It incorporated more recent 2000 Census and land use data, reflected recent changes in the development of the community, and addressed specific new requirements imposed by changes in the state's municipal planning, zoning and annexation statutes.

The 2012 update was adopted by Mayor and Council on February 4, 2013. It incorporated the state comments from 2010 (PLUS), the legal ruling and the intergovernmental agreement relating to Smyrna's revised growth area north of Duck Creek, more recent 2010 Census data, additional planning actions by the town since 2003, and recent development projects that were either not known or just beginning when the 2003 plan was adopted. During 2012 and early 2013, the Town of Smyrna participated in a year-long master planning process and charrette in coordination with staff from the Dover/Kent Metropolitan Planning Organization, Office of State Planning Coordination, DelDOT, and a third-party planning consultant. This plan outlined design alternatives for the redevelopment and transformation of the existing low-density suburban Route 13 corridor through Smyrna into a higher-density mixed-use corridor with a Main Street feel. Also included were a new series of Future Land Use Maps for north, central, and southern sections of the Route 13 Corridor. After review and consideration of the Preliminary Land Use Service ("PLUS") comments, a resolution was passed by Mayor and Council on June 17, 2013, adopting the Smyrna U.S. Route 13 Corridor Plan and Design Book as an amendment to the Comprehensive Plan.

Since the adoption of the 2013 Comprehensive Plan Amendment, the Town has adopted the NC-North Corridor and SCZ-South Corridor Zoning Districts as stipulated in the beforementioned Plan Amendment. To serve those parcels in the North Corridor (as stipulated in the Plan Amendment), the Town in 2018 completed Phase I of the North Duck Creek Utility Project to bring water, sewer, and electric utilities to those undeveloped/underdeveloped properties previously annexed into

the Town north of Duck Creek. As called for in the 2012 Comprehensive Plan, the Town adopted a Planned Village Community Conditional Use option in 2013 to better guide the development of new large-scale residential and mixed-use housing projects (which was subsequently revised and readopted in March 2020). In 2014, the Town of Smyrna adopted an Economic Development Strategy, which served as the basis for the subsequent Downtown Development District Plan and designation by the State in August 2016. Since the adoption of the 2012 Comprehensive Plan update on February 4, 2013, the Town of Smyrna has annexed 28 parcels totaling 140.77 acres, primarily at the northern and southern periphery of Town along U.S. Route 13.

The 2020 Comprehensive Plan Update was prepared in accordance with the most current State Code requirements for local comprehensive plans as set forth in 22 Del. C. Chapter 702 and 29 Del. C. chapter 92 and with the guidance of the Office of State Planning Coordination. Throughout the year and half process to draft and adopt the 2020 Comprehensive Plan, the Town sought out input from residents, property owners, businesspersons, and developers from both within the municipal boundaries of Smyrna and the greater Smyrna community (in addition to input from other local governments and state agencies). The result was a collaborative multi-stepped collaborative process including twelve public work sessions with the Smyrna Planning Commission and two public work sessions with the Smyrna Town Council. The 2020 Update was reviewed by State agency planners at the PLUS review meeting on October 28, 2020. After review and consideration of the P.L.U.S. comments, a resolution was passed by Mayor and Council on July 16, 2021, formally adopting the 2020 Smyrna Comprehensive Plan Update.

Chapter 4 of this Plan outlines a series of 25 goals and objectives that the Town plans to achieve in the near, mid, and long term. The following are a list of items from this longer and more in-depth table of goals and objectives that highlight some of most important implementation items that will be accomplished following the adoption of the Smyrna 2020 Comprehensive Plan:

- Complete a comprehensive rezoning of the Town, which will include the creation of the Downtown Residential District, Planned Village Community District, and the consolidation of the North Corridor and South Corridor Districts into a new Corridor Commercial District;
- Engage a third-party consultant to complete a comprehensive review and update the Smyrna Zoning and Subdivision Ordinances;
- The Town will complete the design for and seek funding for the North Main Street Streetscape and Utility Project and Phase II & III of the North Duck Creek Utility Project;
- The Town will create and maintain a prioritization and scoring system for the repair, repaving, and/or construction of new sidewalks, curbs, and streets;
- The Town will explore the creation of a municipal Transfer of Development Rights program to protect farmland and open spaces identified in the newly created Greenbelt;
- The Town will complete and adopt an Open Space Master Plan, and explore the creation of a municipal parks and recreation department;
- The Town will continue to assist new and existing businesses expand and grow within the Town and work with other local and state agencies to coordinate economic development efforts more generally;

- The Town will continue to partner with DelDOT and the Dover/Kent MPO to plan and coordinate the construction of new transportation improvements within Smyrna, including for the expansion of transit opportunities to serve area residents.
- The Town will expand the existing or create a new National Register Historic District for the historic western residential neighborhoods in Smyrna.
- The Town shall comply with the requirements and milestones set forth in the pending Phase II MS4 Tier II General Permit.
- The Town will encourage the construction of an adequately-sized public library for the Greater Smyrna community.

### Overall Community Vision

The primary vision of the Town of Smyrna is to maintain and enhance the high quality of life for those that live, work, visit, or shop in Smyrna. Our land use and growth management strategies aim to:

- Create compact and efficient development patterns that compliments the historic small-town fabric of Smyrna;
- Provide housing opportunities for all incomes and ages;
- Provide significant open space amenities and recreational opportunities;
- Conserve and protect our natural resources and scenic beauty; and
- Seek to attract and retain quality businesses and jobs to Smyrna.
- Provide multiple opportunities for Smyrna residents to work, play, shop, dine, and receive medical care within the municipal boundaries of the Town without having to drive elsewhere.
- Foster and encourage a sense of place, community pride, and belonging among residents, businesses, and leaders alike.

In short, the Town seeks to build upon its storied 250-year history to plan for a vibrant and sustainable future in decades to come.

### Overall Community Goals

Community goals are broad-based statements outlining a basic legislative intent as it relates to various policy areas used to develop this Plan. Community objectives are measurable and achievable outcomes that will be accomplished as a result of this Plan. The overall goals and objectives are intended to guide Town elected and appointed officials when establishing policies and regulations that implement recommendations outlined in this Plan. They are as follows:

GOAL: New growth and development will be compact, pedestrian-oriented, appropriately-scaled, interconnected, and reflect the historical development patterns and neighborhoods of the Town. Low-density suburban sprawl will be strongly discouraged.

GOAL: Encourage the rehabilitation, restoration, and adaptive re-use of historical structures and homes within the Town using standards set forth by the United States Secretary of the Interior.

GOAL: Enable safe and efficient modes of travel for pedestrians, cyclists, vehicular drivers, transit users through an efficient and interconnected transportation network and system.

GOAL: Provide for the orderly and efficient extension of public utilities and services as new lands are annexed into the municipal boundaries of Smyrna.

GOAL: Provide a mix of housing opportunities, types, and sizes to accommodate all ages, household sizes, and incomes.

GOAL: Transform the Route 13 corridor into a mixed-use and attractive gateway with multiple opportunities to live, shop, dine, and play in a walkable environment.

GOAL: Foster a predictable and transparent process for the review and approval of new development.

GOAL: Attract and retain quality businesses and high-paying jobs to the community, and promote a balanced and diversified economy that supports a wide range and type of employers and jobs within the Town of Smyrna.

GOAL: Coordinate with DeIDOT and other transportation agencies to ensure that new development and existing neighborhoods are adequately served by road, pedestrian, and transit infrastructure.

GOAL: Provide for a wide variety of parks and public recreational facilities to serve all members of the community regardless of age, interest, or physical ability.

GOAL: Partner with New Castle County, Kent County, and various State agencies to protect agricultural and environmentally sensitive lands outside of the municipal boundary of Smyrna to establish an urban growth boundary, and to create a clear delineation between town and country.

GOAL: Will ensure that Smyrna residents are provided with the highest level of police, medical, and emergency services.



## **CHAPTER 1 - BACKGROUND, HISTORY AND PLANNING PROCESS**

### **Smyrna in Time and Place**

The Town of Smyrna straddles the border between New Castle County and Kent County, along the main and historic north-south transportation route stretching down the Delmarva Peninsula from Wilmington. From its humble beginnings in the 18<sup>th</sup> century as a crossroads village, the community gained wealth and prominence in subsequent decades as a seaport, shipping agricultural products to Philadelphia and beyond. Smyrna's quaint downtown core, tree-lined neighborhoods, and elegant mansions stand as a reflection of the town's 19<sup>th</sup> century prosperity. The town steadily grew following the Second World War with the establishment of several manufacturing plants along Route 13 and in nearby Clayton. With the construction of State Route 1 in the 1990's as a limited access highway connecting Wilmington to the resort beaches in Sussex County, the Town of Smyrna has more than doubled in physical size and population since 2000. Now a suburban bedroom community, the Town seeks to reestablish and reposition itself as a regional employment and shopping center, while retaining its historic small-town charm and quality of life.

The Town of Smyrna is located along Duck Creek at the intersection of US Route 13 and DE 300, approximately 35 miles south of Wilmington, Delaware. The Town stands astride of US Route 13, a historic at-grade four-lane highway, and State Route 1, a newer limited access highway, connecting to the Wilmington-Philadelphia I-95 corridor to the north and to Dover and the rest of the peninsula to the south. DE Route 300, which terminates at Route 13 in Smyrna, leads westward to the Eastern Shore of Maryland and then to Baltimore and Washington, both approximately 90 miles to the West, by the direct connection to Route 301. Smyrna is immediately adjacent of the Town of Clayton, and the major north-south rail line to the west, which runs southward along the central spine of the Delmarva Peninsula. Smyrna is closely linked economically with Dover, 12 miles to the south, where many of its residents are employed. The Town of Smyrna is outside of the major northeast I-95 urban corridor between Washington and Boston, and thus was not a focus of intense suburban development pressure until the recent construction of State Route 1. The relatively slow, steady growth has preserved the historic character of the Town and created the elements we appreciate today.

William Penn first granted tracts of lands near Duck Creek to settlers in the 1680's. Lands were subsequently cleared for agricultural production (predominately tobacco and wheat), and by the middle of the 18<sup>th</sup> century, a grist mill and settlement was established along Duck Creek known first as 'Salisbury' and later as Duck Creek Village. A prosperous shipping wharf and settlement, known first as Greens Landing and later as Smyrna Landing, was established at about the same time approximately a mile to the east along Duck Creek. This landing would function as one of the primary grain (and later fruit) shipping points along the Delaware Bay from the middle of the 18<sup>th</sup> century to its demise at the turn of the 20<sup>th</sup> century. In 1768, James Green sold 15 acres of land to Samuel Ball, a Philadelphia merchant. This land, located at a crossing of two major roads, the north-south King's Highway and the east-west Maryland Road leading from the nearby Smyrna Landing to the Chesapeake Bay, served as the nucleus for Duck Creek Crossroads, and

soon attracted grain merchants and other residents. The crossroads village flourished in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries with the shipment of grain from the nearby Smyrna Landing to larger markets in Philadelphia, New York, and Boston. Originally called Duck Creek Crossroads, the town's name was changed to Smyrna by the Delaware General Assembly in 1806. Owing to its status as a regional shipping and trading center, two major banks were founded in Smyrna in 1812 and 1822 (the only banks between Wilmington and Dover) and the school district was established in 1829. A steamboat line to Philadelphia using Duck Creek and the Delaware River was later started in 1837. When it was first chartered in 1806, the boundaries of Smyrna extended ¼ mile from the crossroads in each direction (1/2 mile square total land area). In 1857 the town boundaries were extended an additional ¼ mile in each direction making Smyrna one square mile. The town's boundaries would remain the same until the annexation of the Delaware Home and Hospital (now known as the Delaware Hospital for the Chronically Ill) in 1961.

The Civil War divided feelings of people in the Smyrna area. The period after the Civil War was one of great growth and prosperity for the town. Well-to-do businessmen built grand Victorian houses from the profits made in trading grain, peaches, and fertilizers. The Delaware Railroad, built in 1856, bypassed Smyrna to the west, due in large part to businessmen reluctant to encourage competition with the steamboat line. As rail began to dominate the transport of local goods, manufacturing activities and canneries were located and constructed to the west in Clayton. After the Civil War, the railroad was extended to Smyrna and another eastward to Woodland Beach on the Delaware Bay. Rail service from Smyrna to Woodland Beach was discontinued in 1903, while freight rail service from Clayton to Smyrna lingered until 1976.

In 1900, Smyrna had four manufacturers of phosphates, two foundries, two peach basket factories, three canneries, two carriage works, and a modern electric plant, making it the best-lighted town south of Wilmington. However, with the siltation of Duck Creek (and the gradual demise of Smyrna Landing) and the widespread failure of local peach crops, the population of Smyrna stagnated and declined from 2,455 in 1890 to 1,870 in 1940.

In 1923, a 97-mile two-lane north-south concrete road (known today as US Route 13 - 'Dupont Highway') was constructed immediately east of Smyrna (within the town boundaries), and connecting Wilmington to downstate agricultural communities in Kent and Sussex Counties. This road was widened to four lanes in 1936. Following the Second World War, the Smyrna-Clayton area attracted a number of large manufacturing employers including Tyler Refrigeration, General Metalcraft, General Clothing, Leeds Travelwear, and Litton Industries. This resulted in steady growth to the Town of Smyrna throughout the second half of the 20<sup>th</sup> century, growing from 2,346 in 1950 to 5,231 in 1990. Early growth in 1950's and 1960's consisted of a grid-like street pattern radiating outward from the historic downtown core (with primarily single-family homes), which was followed by the first suburban-style subdivisions and projects (including those with townhouses and garden apartments) starting in the 1970's. During this time period, the Town annexed a total of 1,258 acres between 1961 and 1990 (tripling its area from 640 acres to 1,898 acres), which expanded the Town's boundaries north of Glenwood Avenue to Duck Creek, south of Lake Como, and east of US Route 13 towards (but not including) Smyrna Landing. Much of this land area was proactively annexed to accommodate new public facilities (i.e. Smyrna High School

and Glenwood Park), or in anticipation of future growth (i.e. Mitchell Farm south of Lake Como). The Town of Smyrna adopted its first zoning ordinance in 1964, and its first Comprehensive Plan in 1973.

The construction of State Route 1 (limited-access highway) from Wilmington to Dover between 1988 and 2003, coinciding with a nationwide housing boom, ushered in an era of unprecedented growth to the Town of Smyrna during the first decade of the 21<sup>st</sup> century. Between 2000 and 2010, the Town's population nearly doubled in size from 5,679 to 10,023, and nearly doubled in land area through the annexation of 1,458 additional acres between 2000 and 2012. These annexations occurred primarily north of Duck Creek in New Castle County, and southward to Brenford Road. From 2000 through 2019, the Town of Smyrna has approved 29 major subdivisions and/or apartment projects totaling 5,511 dwelling units, although only 2,482 dwelling units obtained building permits from 2003 through 2018. The approvals for two of the subdivisions, Watson Farm (892 dwelling units) and Duck Creek Crossing (47 dwelling units), both north of Duck Creek, have since expired, and will be required to go back through the development review process. Despite annexing significant amounts of land north of Duck Creek, nearly all of the residential development that has occurred since 2000 has taken place south of Lake Como. Many of the of before-mentioned residential subdivisions have been mixed-housing and/or mixed-use projects, but they all have generally been suburban in character and layout. Since 1990, many of the large manufacturing facilities in the Smyrna-Clayton area have since closed their doors as part of a larger trend towards a service-based economy, and which has prompted greater numbers of Smyrna residents to commute elsewhere for employment. This has been partially offset by the construction of the Smyrna Business Park in the 1990's (only partially full and occupied), and the construction of the Walmart Distribution Center in 2004.

In 2019, the groundbreaking occurred for the 220-acre North Duck Creek Business Campus, which at buildout is anticipated to bring 4,000 jobs to the Smyrna area. While the gradual buildout of those residential subdivisions south of Lake Como will continue to occur over the next decade, it is anticipated that most of the new growth in Smyrna will be north of Duck Creek on lands annexed into the town since 2000. Sitting astride SR 1 and US Route 13, straddling the border of New Castle and Kent Counties, the Town of Smyrna is well positioned to attract new employers and residents over the next decade. The town remains in easy commuting distance to both the Wilmington and Dover metropolitan areas, and the I-95 Northeast Corridor beyond. Smyrna's historic small-town charm, many amenities and quality of life, educated workforce, the availability of modern public services, and pro-active town government will enable the Town to thrive, grow, and prosper in the 21<sup>st</sup> century knowledge-based economy.

## **The Planning Process**

### The Authority to Plan

The preparation of a comprehensive development plan is the legal responsibility of the Town of Smyrna Planning and Zoning Commission pursuant to Delaware municipal planning and zoning enabling legislation. Title 22, Section 702(a) of the Delaware Code specifies that:

*“A Planning Commission established in any incorporated municipality under this chapter shall prepare a comprehensive plan for the city or town or portions thereof as the commission deems advisable.”*

Section 702 also establishes the content of such a comprehensive development plan to include:

*“A Comprehensive Plan means a document in text and maps, containing at a minimum, a municipal development strategy setting forth the jurisdiction's position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues. The comprehensive planning process shall demonstrate coordination with other municipalities, the county, and the State during plan preparation.”*

It goes on to require a higher standard from larger communities:

*“The comprehensive plan for municipalities of greater than 2,000 population shall also contain, as appropriate to the size and character of the jurisdiction, a description of the physical, demographic, and economic conditions of the jurisdiction; as well as policies, statements, goals, and planning components for public and private uses of land, transportation, economic development, affordable housing, community facilities, open spaces and recreation, protection of sensitive areas, community design, adequate water and wastewater systems, protection of historic and cultural resources, annexation, and such other elements which in accordance with present and future needs, in the judgment of the municipality, promotes the best health, safety, prosperity, and general public welfare of the jurisdiction's residents.”*

Section 703 provides additional legal authority for the planning commission as stated:

*“The planning commission shall have the full power and authority to make such investigations, maps, and reports of the resources, possibilities, and needs of the city or town as it deems desirable...”*

The Delaware Code require a formal annexation plan element and a comprehensive rezoning after the adoption or revision of a comprehensive plan to bring the zoning ordinance and map into compliance with the adopted comprehensive plan.

These amendments to state law, enacted in July 2001, will be met by this revision to Smyrna's plan and the continuing planning activities it calls for.

### The 1973 Comprehensive Plan

Smyrna adopted its first Comprehensive Plan in 1973. At that time, there was no economic stimulus for major new development, but the continued vitality of Dover, 12 miles south, meant modest spillover growth was likely in the area. The 1973 plan indicated that utility systems were adequate for a doubling of the population. Housing deterioration and lack of affordable housing for low- and moderate-income persons and families were identified as significant concerns. The plan called for establishment of an historic district, which would help encourage reinvestment in deteriorating houses and for a housing conservation code to require repairs to deteriorating buildings. At that time, there were needs for a community health clinic, a new Town Hall, a new police station, and a new library.

### The Planning Process, 1986-1988

Updating the 1973 Comprehensive Plan was a four-step process involving four memoranda prepared by the town's consultant and discussed with the Town Council and the Planning & Zoning Commission at joint planning workshops held from October 1986 through 1987. The first two dealt with issues and priorities for the plan, existing land use, and environmental conditions, population and employment trends and projections, and the holding capacity of vacant land within the Town limits. The third and fourth memorandum described alternative growth scenarios for the Town of Smyrna and policies which would be required to create these different future patterns of community growth. From these alternatives, the town chose policies aimed at a compact land cost-effective growth pattern with a program of annexation expected to control growth adjacent to the town and to provide needed lands for desired employment opportunities. The Smyrna Town Council formally adopted the Comprehensive Plan Update on April 18, 1988.

### 1997 Update to the Comprehensive Plan

The 1997 Comprehensive Plan update included changes that would influence the character of the Town. It designated a 300-foot green space centered on the creeks and allowed for future designation of an historic area for places such as Belmont Hall. It suggested Belmont Hall's classification change to an Institutional and Recreational use to reflect its purpose as a state conference center. The 1997 update also provided for a review every five years of farmland placed in the State's Agricultural Lands Preservation Program. It also designated lands generally east of the railroad tracks and south of Route 300 as a proposed industrial park and developed written text to accompany the Land Use Plan (the most recent is in Chapter 3 and Map 4). The Plan was approved by the Town Council on April 21, 1997.

### 2002 Review and Addendum to the Comprehensive Plan

Pursuant to state law, a municipality is required to review its comprehensive plan at least every five years to determine if its provisions are still relevant given changing economic and other conditions. The 2002 review and amendment to the town's plan provides updated information

on existing land use, growth, and development issues, and population and economic trends. It also updates the 1997 plan by adding an annexation plan element to bring the comprehensive plan into compliance with then recently enacted changes to the state planning statutes (HB 255, enacted by the 141<sup>st</sup> General Assembly and signed by the Governor on July 13, 2001.)

Numerous public workshops and reviews of the draft plan and its components had occurred during the plan review process. The Planning & Zoning Commission had considered the draft during ten public meetings at various venues in the Town. Mayor and Council considered the draft annexation plans specifically at two sessions. Final review and approval by Mayor and Council required a public hearing after the plan was certified by the Governor on May 16, 2003.

The 2005 update was compiled from the comments received during the initial planning period, the comments and recommendations of the state agencies as presented in January 2003 and January 2005. The 2002 addenda resulted in an agreement reached with Kent County regarding areas south of Brenford Road to be memorialized in the 2005 Plan. The policies included in the 2002 Plan and resultant annexations were adjudicated in Superior Court. Sewer service was found allowable to areas annexed by the town north of Duck Creek. The agreements reached in May 2005 between the Town, New Castle County, and the State settled those issues involved in the “Area of Dispute” as identified in the State Strategies Plan.

The 2005 update of the plan was considered by the Planning & Zoning Commission and included a public hearing. It was submitted for PLUS review in September 2005. Following receipt and consideration of PLUS comments and after Commission action, it was submitted to the Mayor and Council and approved by both bodies. The 2005 Comprehensive Plan Update was certified by the Governor on April 4, 2006.

#### 2012 Update to the Comprehensive Plan

The 2012 update of the plan was submitted to PLUS review in April 2010 after consideration by the Planning and Zoning Commission, including a public hearing. Following receipt and consideration of PLUS comments and after Commission action, it was adopted by the Mayor & Council and the Governor on February 4, 2013.

#### 2013 Amendment to the Comprehensive Plan

In August 2012, the Town of Smyrna, in coordination with the Dover/Kent Metropolitan Planning Organization, the Office of State Planning Coordination and the Department of Transportation, conducted a week long design charrette to provide the Town with a long-range land use and transportation master plan for U.S. Route 13 through Smyrna that will help to guide future land use designs and related transportation improvements.

In November 2012, the first draft of the U.S. 13 Corridor Plan and Design Book was reviewed by the Long Range Planning Committee and the Planning and Zoning Commission. Future Land Use

amendments, specific to the U.S. Route 13 Corridor Plan and Design Book were reviewed by the Long Range Planning Committee and the Planning and Zoning Commission in January 2013.

In February 2013, the Planning and Zoning Commission recommend approval of the U.S. 13 Corridor Plan and Design Book, with the recommended Future Land Use amendments to Mayor and Council as it related to PLUS review for adoption of the U.S. 13 Corridor Plan as an amendment to the Town of Smyrna Comprehensive Plan.

On April 1, 2013, Mayor and Council conducted a public hearing and recommended that the U.S. 13 Corridor Plan and Design Book be reviewed by P.L.U.S as an amendment to the Comprehensive Plan. On April 24, 2013, the U.S. 13 Corridor Plan and Design Book was reviewed by State agency planners at the PLUS Review meeting as an amendment to the Town of Smyrna Comprehensive Plan.

After review and consideration of the PLUS comments, a resolution was passed by Mayor and Council on June 17, 2013, adopting the U.S. Corridor Plan and Design Book as an amendment to the Comprehensive Plan.

#### 2020 Update to the Smyrna Comprehensive Plan

Pursuant to state law, a municipality is required to review its comprehensive plan at least every five years to determine if its provisions are still relevant given changing economic and other conditions. Initially, the Town prepared a Comprehensive Plan Amendment, which would have added 73 parcels to the Northern Growth Zone, 3 parcels to the Southern Growth Zone, change the Land Use designation for 11 parcels, and a text amendment to reconcile Land Use color designation changes. This Comprehensive Plan Amendment was presented to and reviewed by state agency planners at the PLUS meeting on October 31, 2018.

After consultation with staff from the Office of State Planning Coordination, the Town of Smyrna opted in 2019 to instead conduct a formal update of the 2013 Comprehensive Plan so as to ensure that the before-mentioned proposed changes and additions were in line with and correlate with the rest of the Comprehensive Plan. This also included in-person meetings with staff from the New Castle County Department of Land Use and the Kent County Department of Planning and Zoning.

The Planning and Zoning Commission held public meetings on September 25<sup>th</sup> 2019, October 9<sup>th</sup> and 23<sup>rd</sup> 2019, November 20<sup>th</sup> 2019, December 18<sup>th</sup> 2019, January 8<sup>th</sup> and 22<sup>nd</sup> 2020, February 19<sup>th</sup> 2020, June 24<sup>th</sup> 2020, July 22<sup>nd</sup> 2020, August 26<sup>th</sup> 2020, and September 16<sup>th</sup> 2020 to review and make revisions to various chapters of the 2013 Comprehensive Plan. On September 30, 2020, the Smyrna Town Council held a public hearing to review the draft revisions to the 2013 Comprehensive Plan and recommended that the 2020 Comprehensive Plan Update be reviewed by PLUS. The 2020 Comprehensive Plan Update was reviewed by State agency planners at PLUS on October 28, 2020. All of the work sessions with the Planning Commission and Town Council were duly advertised in the local newspaper(s) and town webpage and were open to members

of the public to provide comments, input, and recommendations at the end of each of these public meetings.

Due to the ongoing COVID pandemic throughout 2020-2021, opportunities to engage the public were constrained and limited to mailings and online forums. Throughout the Comprehensive Planning Process, Town Staff proactively reached out to the owners of larger undeveloped and underdeveloped properties both within and outside the existing municipal boundaries of Smyrna to gauge their long-term intentions and development potential for said properties. Following the final review by the Planning Commission on September 16, 2020, a special webpage on the Town of Smyrna website was created highlighting the draft Plan, links to all the proposed maps, and a weblink for residents and other community members to directly submit comments to staff electronically. Furthermore, notices encouraging citizens to attend the September 30<sup>th</sup> work session and to comment on the draft Plan were mailed out with all municipal utility bills in both September and October 2020. Town staff received eight (8) comments through the Town's weblink, including for two minor changes to the Future Land Use Map. Following PLUS review, the Planning Commission (at their regular or special meetings on April 28<sup>th</sup>, May 26<sup>th</sup>, and June 17<sup>th</sup> 2021) subsequently reviewed and made final changes to the Future Land Use Map (Figure 3) in anticipation of the comprehensive rezoning following adoption of the Comp Plan.

After review and consideration of PLUS comments, staff made dozens of minor revisions and additions to draft Plan, which were subsequently approved by the PLUS agencies on May 6, 2021. A resolution was then passed by the Mayor and Council on July 16, 2021, formally adopting the 2020 Smyrna Comprehensive Plan Update.

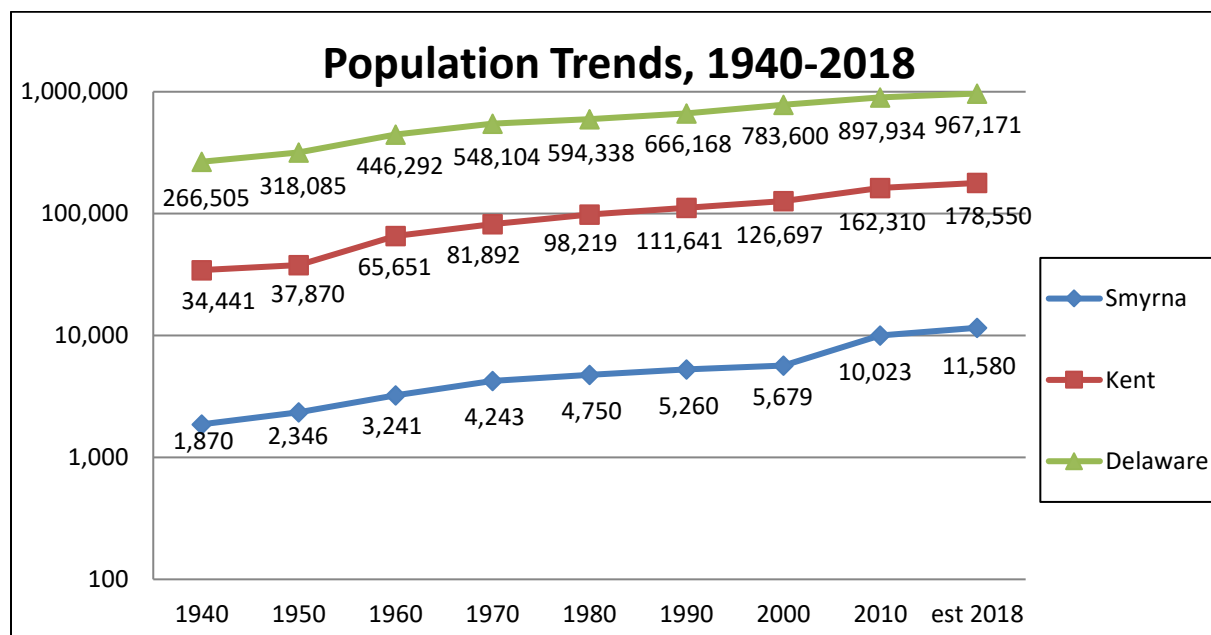


## **CHAPTER 2 - COMMUNITY PROFILE**

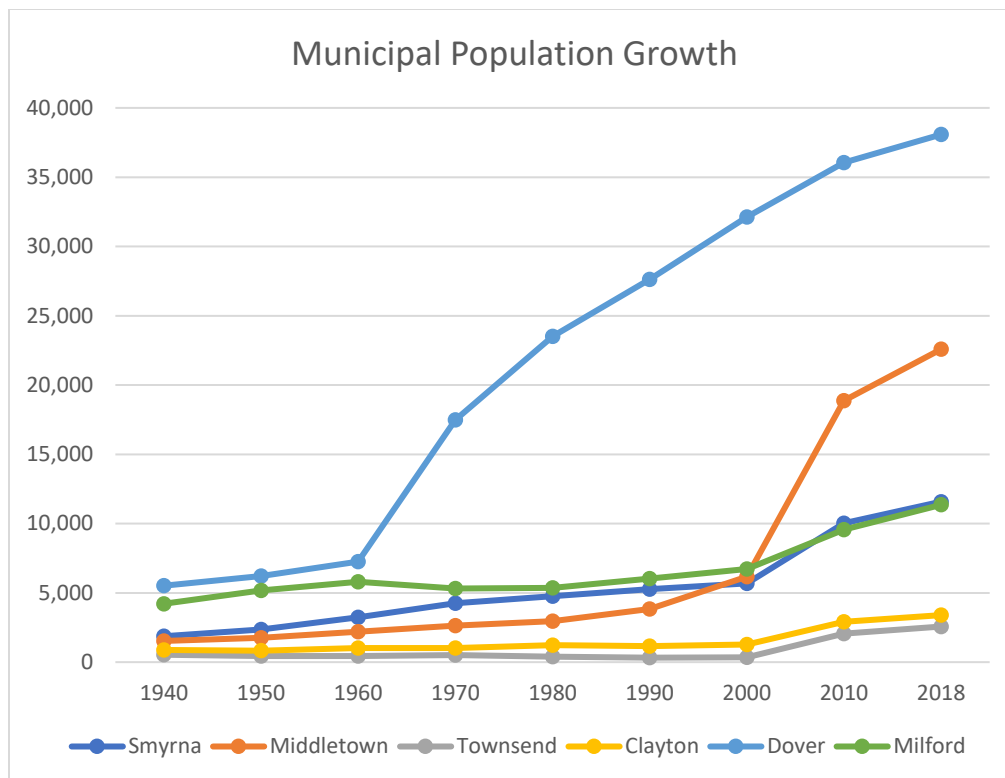
The Comprehensive Plan must reflect the demographic, housing and economic characteristics of the community within its regional and larger setting. The following tables were derived from the 2010 U.S. Census, the 2017 American Community Survey, and the 2018 Census Estimate; and compares the Town of Smyrna with Kent County and the State of Delaware. These analyses help to formulate the Comprehensive Plan's strategies, goals, and policies.

### **Population Trends, 1940-2018**

Between 1940 and 2000, the population of Delaware nearly tripled, while the population of Kent County nearly quadrupled. However, this population growth was concentrated largely north of the C & D Canal, in and around the City of Dover, and the seashore beach communities. Those small towns (including Smyrna) along the Route 13 and 113 corridors between the C & D Canal and the Delaware beaches (excluding Dover) largely stagnated or achieved modest population growth. While Smyrna nearly kept pace with the Countywide and Statewide growth rate between 1940 and 1970, Smyrna fell behind and grew significantly slower between 1970 and 2000. However, with the opening of SR 1, Smyrna's growth rate was three times that of the state and county average between 2000 and 2010, as the town nearly doubled in population.



Source: U.S. Census Data 1940-2018



Source: U.S. Census Data 1940-2018

As shown in the above chart, from 1960 to 2000, the City of Dover exploded in population (increasing in size by 500%), accounting for a significant portion of the population growth in Kent County during said time period. Smyrna's growth trajectory is similar to many other municipalities in Kent County and southern New Castle County. From 1940 to 1990, Smyrna's population grew slowly (but steadily), outperforming neighboring or comparable municipalities like Middletown, Townsend, Clayton, and Milford, whose population either stagnated or grew only slightly. However, all of these municipalities (including Smyrna) mushroomed in population following completion of SR 1 in the early 2000's coupled with a nationwide housing boom. In just a 10-year period from 2000 to 2010, Smyrna population increased by 76.5% from 5,679 to 10,023. This population increase is, statewide, second only to Middletown, which more than tripled in population during this time period from 6,121 to 18,871.

### **Population Projections: 2010 - 2050**

Since the 2000 population projections (used to estimate growth in the 2012 Smyrna Comprehensive Plan), the most recent 2018 Delaware Population Consortium estimates have trended upward reflecting the significant migration of persons to Delaware and Kent County (principally from neighboring States). For the first time, the Delaware Population Consortium, as required by State statute, has developed population projections for smaller municipalities in the State. The most recent 2018 estimates project the population growth in both Kent County and Delaware as a whole to slow down significantly after 2020, while projecting the population growth within the Town of Smyrna to remain steady (16.57% 2010-2020 down to 10.67% 2020-

2030), and significantly higher than the County and State averages. The 2018 Delaware Population Consortium estimates the population projections as shown below:

#### **Projected Population**

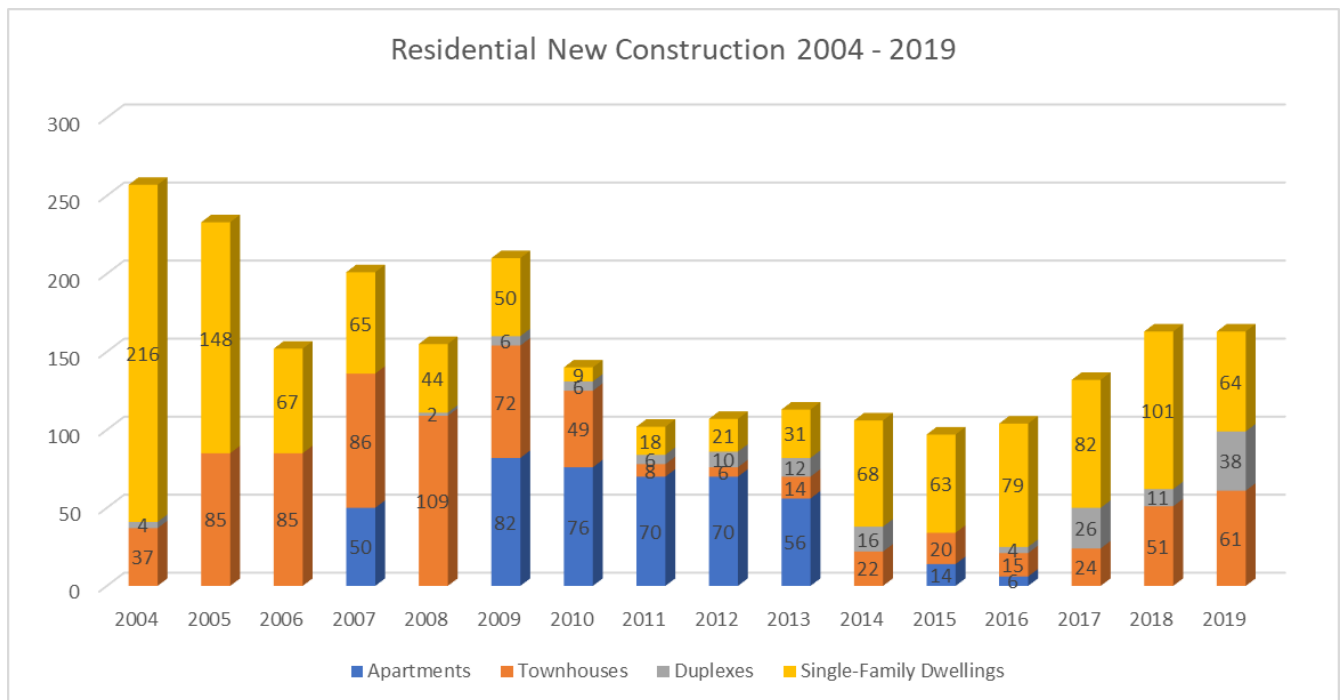
<b>Jurisdiction</b>	<b>2010</b>	<b>2015</b>	<b>2020</b>	<b>2030</b>	<b>2040</b>	<b>2050</b>
<b>Delaware Rate</b>	900,429	945,929 4.81%%	989,803 4.43%	1,044,965 5.28%	1,076,165 2.90%	1,094,704 1.69%
<b>Kent County Rate</b>	162,847	175,412 7.16%	183,242 4.27%	193,601 5.35%	201,639 3.99%	210,671 4.29%
<b>Town of Smyrna Rate</b>	10,023	10,919 8.21%	12,014 9.11%	13,449 10.67%	15,250 11.81%	17,159 11.13%

*Source: Delaware Population Consortium Annual Projections (November 13, 2018)*

#### **Population Growth Based Upon Projected Residential Growth**

Between 2000 and 2012, the Town of Smyrna annexed approximately 1,458 acres, which was subsequently subdivided, primarily for residential development. During the same time period, the Town approved 29 residential subdivisions totaling 5,332 residential lots and/or dwelling units. An additional 318 apartment dwelling units were subsequently approved in two projects along U.S. Route 13 in 2019-2020. As of August 2020, 2,782 dwelling units have been constructed. This leaves 1,956 vested recorded vacant building lots and 904 expired building lots, primarily in the Watson Farm subdivision (857 dwelling units) and the Graceville subdivision (430 dwelling units), which have not yet commenced construction. The former subdivision has expired, although both projects could potentially be re-subdivided at a higher density using the Planned Village Community option. Using the Smyrna 2017 ACS average household size of 2.65 as a basis, if these 2,868 vacant building lots were developed, the population of Smyrna would swell by 7,600 residents, and this does not take into account of infill development and redevelopment that could occur elsewhere in the Town, particularly along the US Route 13 Corridor. The total number of vacant residential building lots in each of the before-mentioned subdivisions is outlined in Appendix \_. If you were to use the five-year (2015-2019) average of building permits for new residential construction (131.8 dwelling units/year), these vacant lots in the before-mentioned subdivisions would be built-out and completed by 2042.

In 2019, the Town issued building permits for 163 new residential dwelling units, including 64 single-family dwellings, 38 duplex/twin dwelling units, and 61 townhouse dwelling units. This equaled the 163 housing starts in 2018, and which included 101 single-family dwellings. As shown in Figure \_ on the following page, this represents the highest number of new housing starts since 2009, the highest number of new single-family dwellings since 2005, and a gradual annual increase in housing starts that has occurred since 2016.

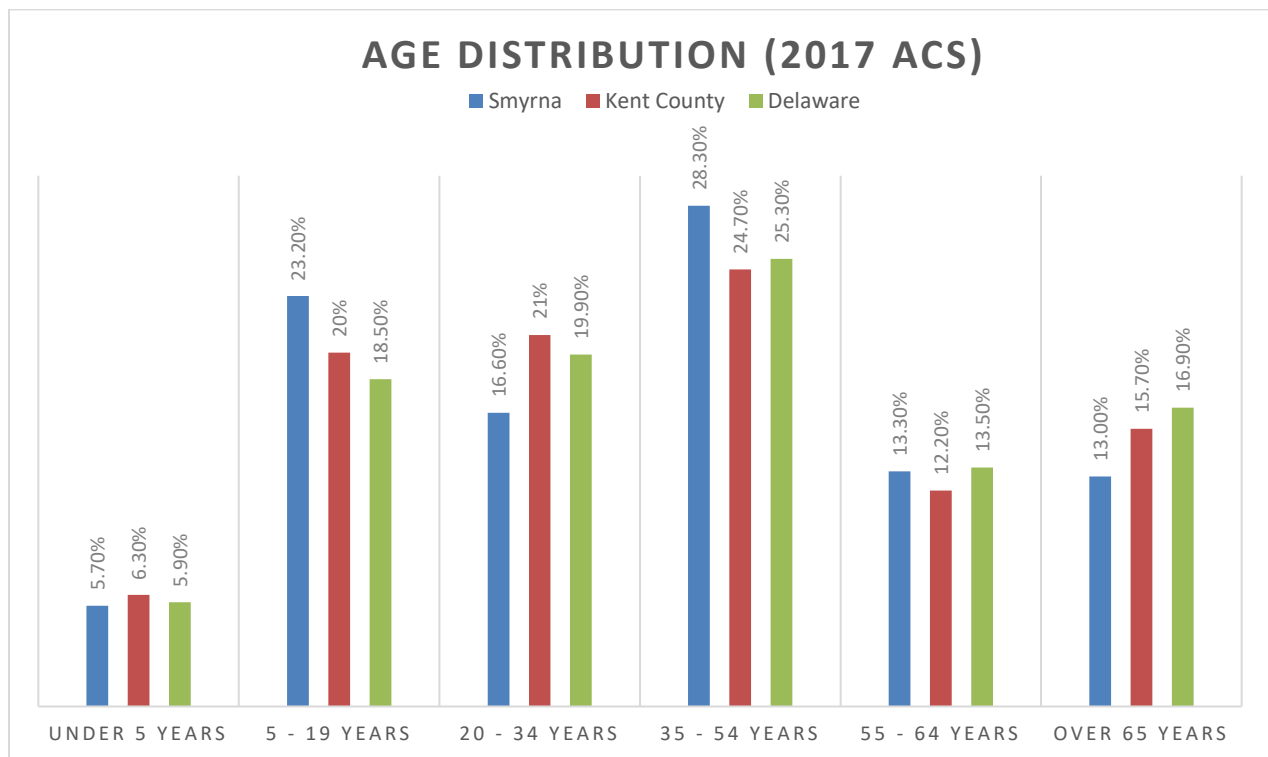


Source: Smyrna Building Permit Records 2004-2019

From 2004 to 2019, the Town of Smyrna approved the construction of 2,435 dwelling units, almost all of which were in residential subdivisions south of Lake Como. Since the adoption of the 2013 Comprehensive Plan, the Town has approved the construction of 878 dwelling units or an average of 125 dwelling units per year. While the number of approved new dwelling units hovered around 100 per year in the years following the Great Recession 2009-2015, the yearly average has since increased to 163 in 2018 and 2019. The most significant change relates to the dwelling types being constructed. Prior to the recession, single-family dwellings were the predominant housing unit constructed, but between 2009 – 2013 (at the height of the recession), the overwhelming majority of new units constructed were either apartments or townhouses. In 2009, for instance, only 9 single-family dwellings were constructed, compared to 76 apartment dwelling units and 49 townhouses. This was from a 2004 high of 216 single-family dwellings approved for construction, although the number of single-family dwellings has gradually increased every year since 2009, reaching 101 in 2018.

## **Age Distribution, 2017 (American Community Survey)**

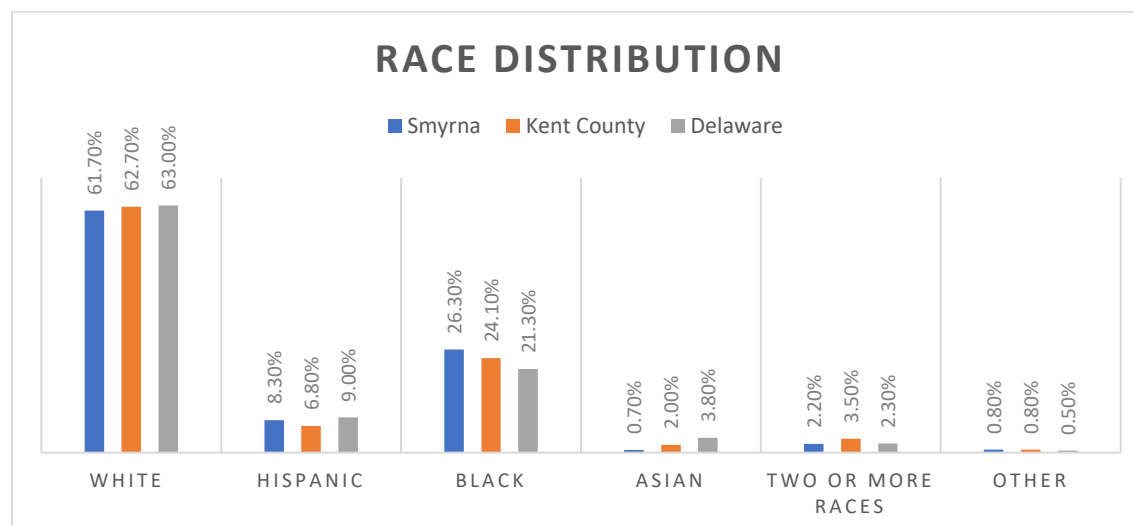
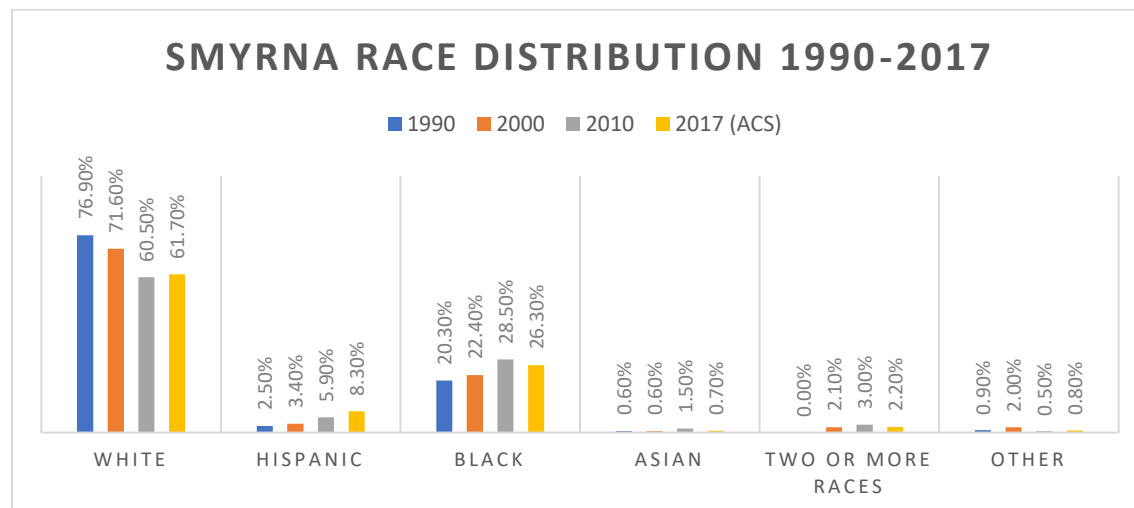
According to 2017 American Community Survey (ACS) data, the median age in Smyrna was 37.5 years, comparable to Kent County (37.3 years), but lower than in Delaware as a whole (39.8 years). Compared to both Kent County and Delaware as a whole, Smyrna has a higher percentage school-age population (ages 5 – 19) and middle-age working adults (ages 35 – 54), but a lower percentage of young adults (ages 20 – 34) than does Kent County or Delaware as a whole. In addition, a lower percentage of Smyrna’s residents are age 65 or lower compared to either Kent County or Delaware as a whole. These population demographics are similar to other suburban bedroom communities where a significantly greater percentage of the population are school-age adolescents or middle-age working adults. Likewise, without a local college or university and/or being located near a beach resort, Smyrna has comparatively fewer young adults and older retirees than Kent County or Delaware as a whole.



Source: 2013-2017 American Community Survey Estimates

## **Race Distribution**

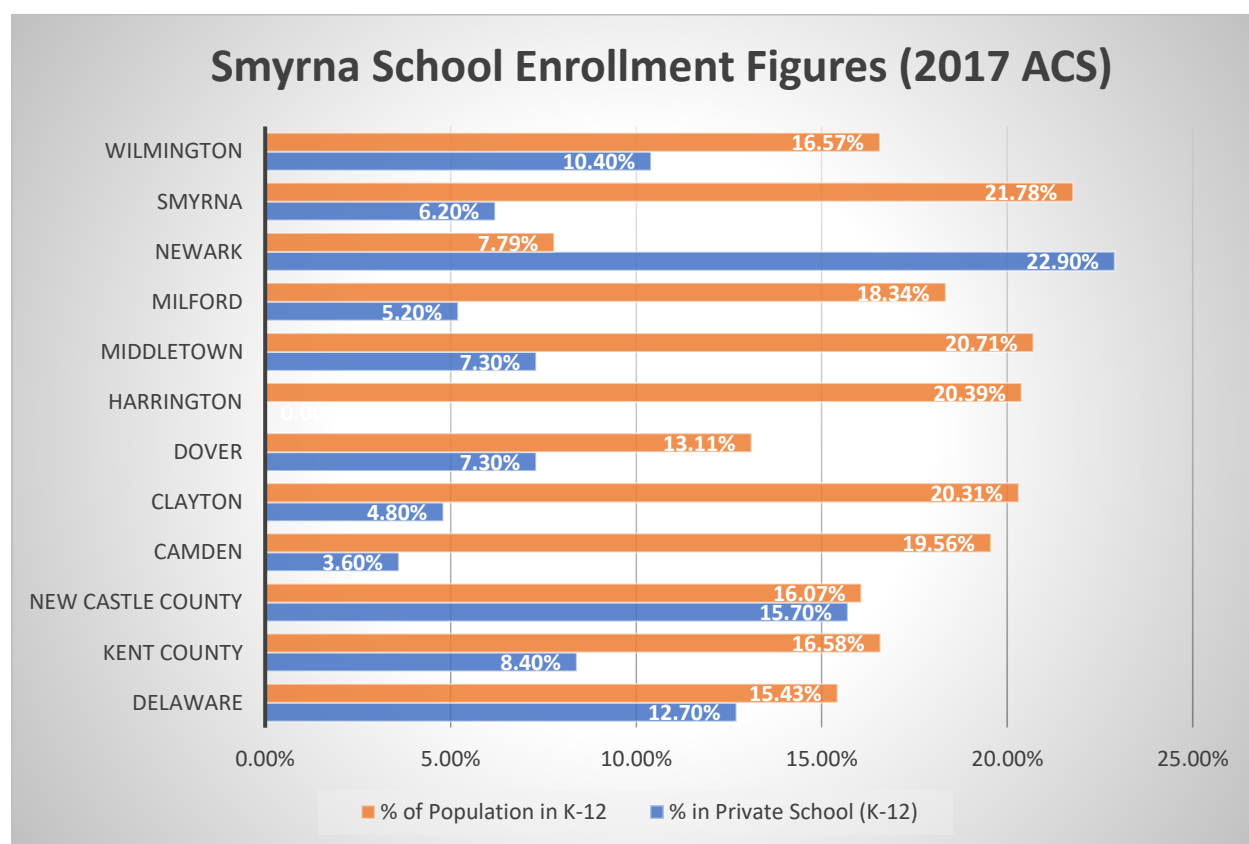
With the rapid growth and doubling of Smyrna's population between 1990 and 2017, the percentage of the Town identifying as white only has decreased from 76.9% to 61.7%, while the percentage of African-Americans or black residents has increased from 20.3% to 26.3%. In keeping with the national (and State) trend of increasing Hispanic or Latino immigration to the United States, the percentage of Hispanic residents in Smyrna has grown from 2.5% to 8.3% of the total population. As shown on the charts below, Smyrna has a higher percentage of African-American or black residents than both Kent County or Delaware, its Hispanic population is comparable to both jurisdictions, while Smyrna has a lower percentage of Asian residents than both Kent County and Delaware as a whole. It remains to be seen as to whether Smyrna will continue to attract higher numbers of African-Americans and begin to attract large numbers of Asians as Middletown has done through its build-out and suburbanization. Regardless, Smyrna's percentage of white residents will likely continue to decline, as the Town becomes more ethnically diverse.



Source: 1990, 2000, 2010 Censuses and 2017 ACS.

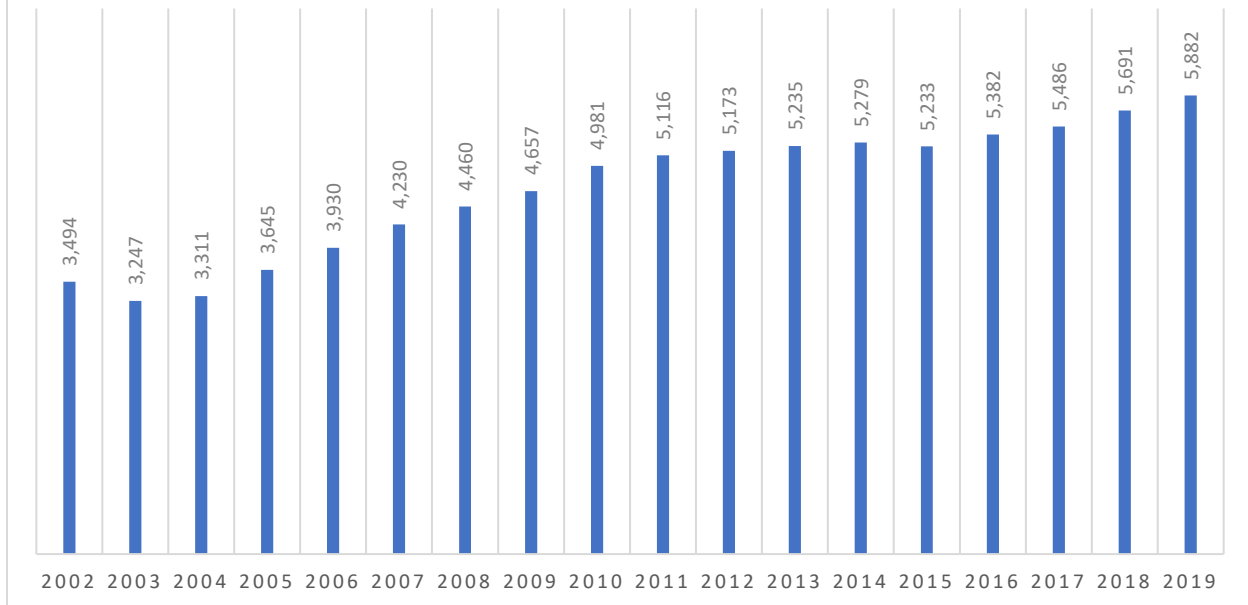
## **Smyrna School Enrollment, 2017 American Community Survey**

According to the U.S. Census Bureau 2013-2017 American Community Survey, 5-year estimates, Smyrna had an estimated 2,522 students enrolled in school (K-12) in 2017. Of this school age population, 93.8% were enrolled in public school while 6.2% were enrolled in private school. In addition, 88 students in the Smyrna School District were enrolled in home school during the 2018 school year (up from 82 in 2017). As shown on the chart below, compared to Kent County and especially New Castle County, Smyrna has a significantly lower percentage of students enrolled in private school. Smyrna's K-12 school age population represents 21.78% of the town's population, which is among the highest of any municipality in Delaware, and is significantly higher than Kent County, New Castle County, and Delaware as a whole. This is reflective of the fact that Smyrna is a recently suburbanizing community that has (and will likely continue to attract in the foreseeable future) large numbers of young families with school age children. As this present school-age population ages, Smyrna's percentage of school-age population will likely plateau and later decrease in coming decades.



*Source: 2013-2017 American Community Survey Estimates*

## SMYRNA SCHOOL DISTRICT ENROLLMENT HISTORY 2002 - 2019



*Source: Email from Smyrna School Superintendent Patrik Williams dated 10/19/2019*

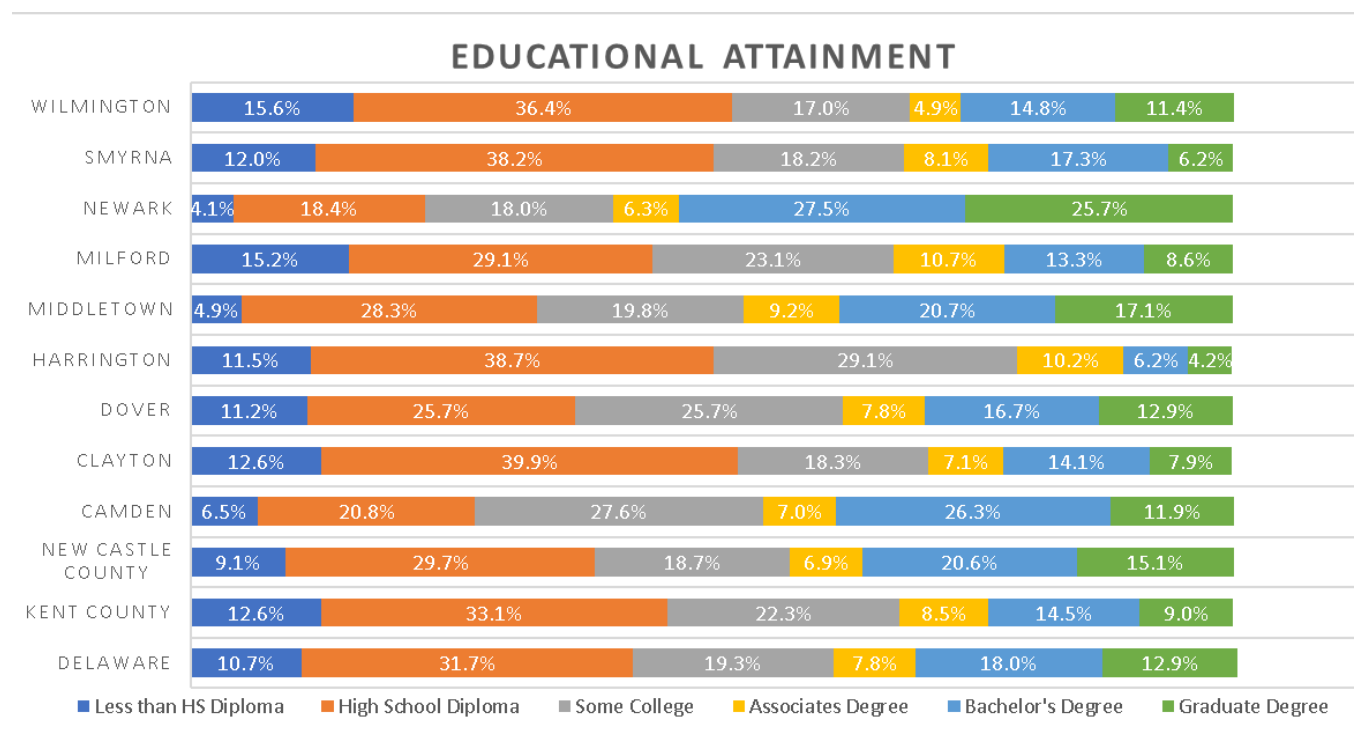
The Smyrna School District serves southern New Castle County and northern Kent County, and in addition to the Town of Smyrna also includes the towns of Clayton and Kenton. The District currently manages eight schools including four elementary schools (Grades K-3), two intermediate schools (Grades 4-6), one middle school (Grades 7-8), and one high school (Grades 9-12). All but two of the schools are located within the municipal boundaries of Smyrna. As of September 30, 2019, the Smyrna School District had an enrollment of 5,882. Since 2002, enrollment has increased by 2,388, or 68.35%, and since the adoption of the 2013 Comprehensive Plan Update, enrollment has increased by 647, or 10.99%. The completion of Smyrna Middle School (2003), Sunnyside Elementary (2008) and Clayton Intermediate School (2012) has met the demand of increased enrollment, however, as this trend continues, the School District's educational infrastructure will be exceeding its capacity limits. The school district is in the preliminary stages of acquiring land for a new elementary school along Rabbit Chase Lane south of Lake Como.



## **Educational Attainment, 2017 American Community Survey**

According to the 2017 American Community Survey, 88% of Smyrna residents, 25 years and older, have graduated from high school, which is comparable to Kent County (87.4%), and slightly less than Delaware as a whole (89.3%). 23.5% of residents, 25 years and older, in both Smyrna and Kent County have at least bachelor's degree, which is significantly lower than Delaware as a whole (30.9%) or in neighboring New Castle County (35.7%).

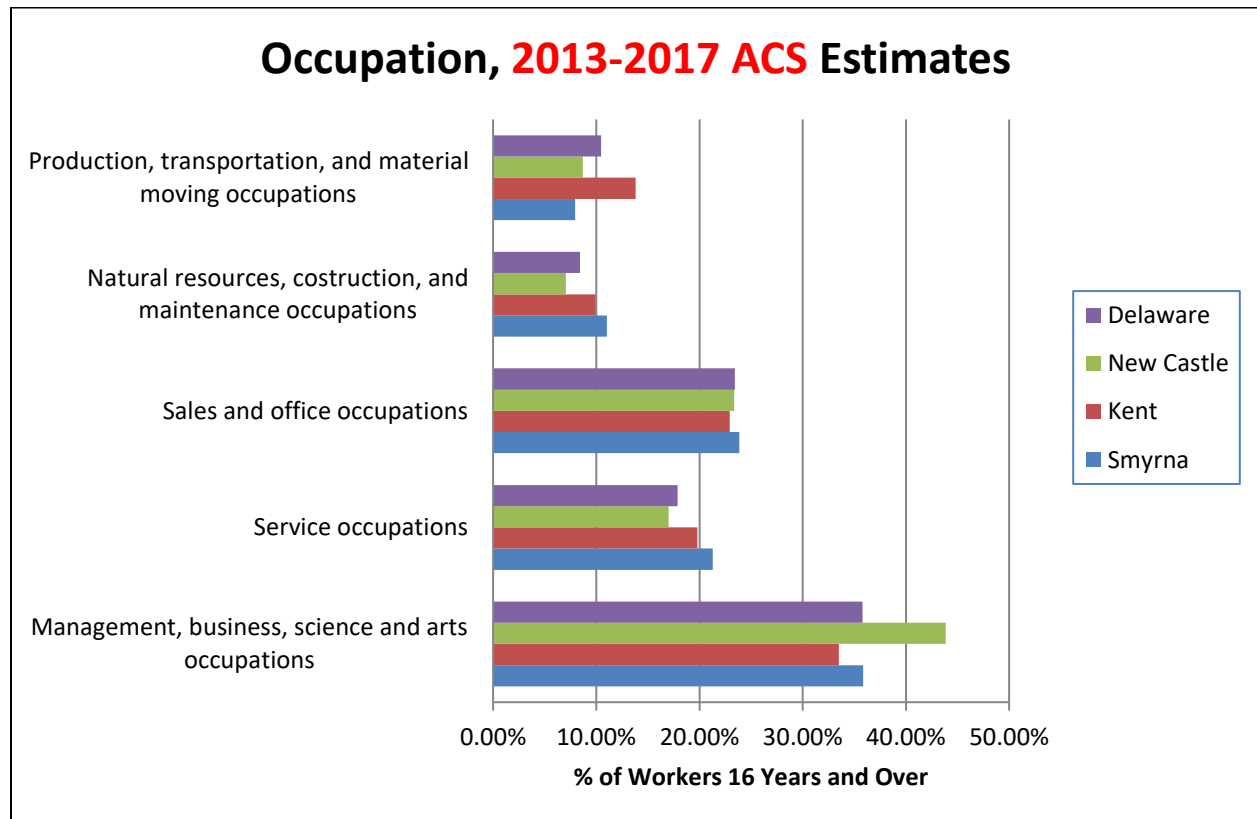
When compared to other comparable municipalities in New Castle County and Kent County (as shown in the below chart), Smyrna falls within the middle of the pack. Newark (53.2%) and Middletown (37.8%) in New Castle County, and Camden (38.2%) in Kent County all have significantly higher percentages of their population with at least a bachelor's degree, and a significantly greater percentage of their population graduated with at least a high school diploma. However, Smyrna (23.5%) is comparable to Milford (21.9%) and Clayton (23.1%) with the percentage of its population with at least a bachelor's degree, and significantly greater than more rural downstate communities like Harrington (10.4%). As Smyrna continues to attract new residents from New Castle County, and the Philadelphia Metropolitan Area and beyond, the percentage of its population with at least a bachelor's degree will likely significantly increase (mirroring the growth of Middletown to the north), and which will in turn likely have a bearing on the types of employers looking to locate in and around Smyrna.



*Source: 2013-2017 American Community Survey Estimates*

## **Occupation, 2017 American Community Survey**

According to U.S. Census Bureau 2013-2017 American Community Survey, 5-year estimates, Smyrna is consistent with Kent County, New Castle County and Delaware occupation distribution levels in a number of categories, reflecting a diversified workforce. However, Smyrna has a slightly higher percentage (21.3%) of citizens in service occupations than Kent County (19.79%), New Castle County (17.01%), or Delaware as a whole (17.86%). Smyrna significantly lags behind New Castle County in the percentage of its residents in management and professional occupations (43.87% to 35.85%), although with expected residential and employment growth in Smyrna north of Duck Creek, Smyrna's share of management and professional positions will likely increase in ensuing decades. Since the 2007-2011 ACS Census Estimates, the percentage of Smyrna residents employed in production (i.e. manufacturing) related occupations has dropped precipitately from 14.6% to 7.94%, likely due to the closure of the Harris Manufacturing facilities along Glenwood Avenue and U.S. Route 13.

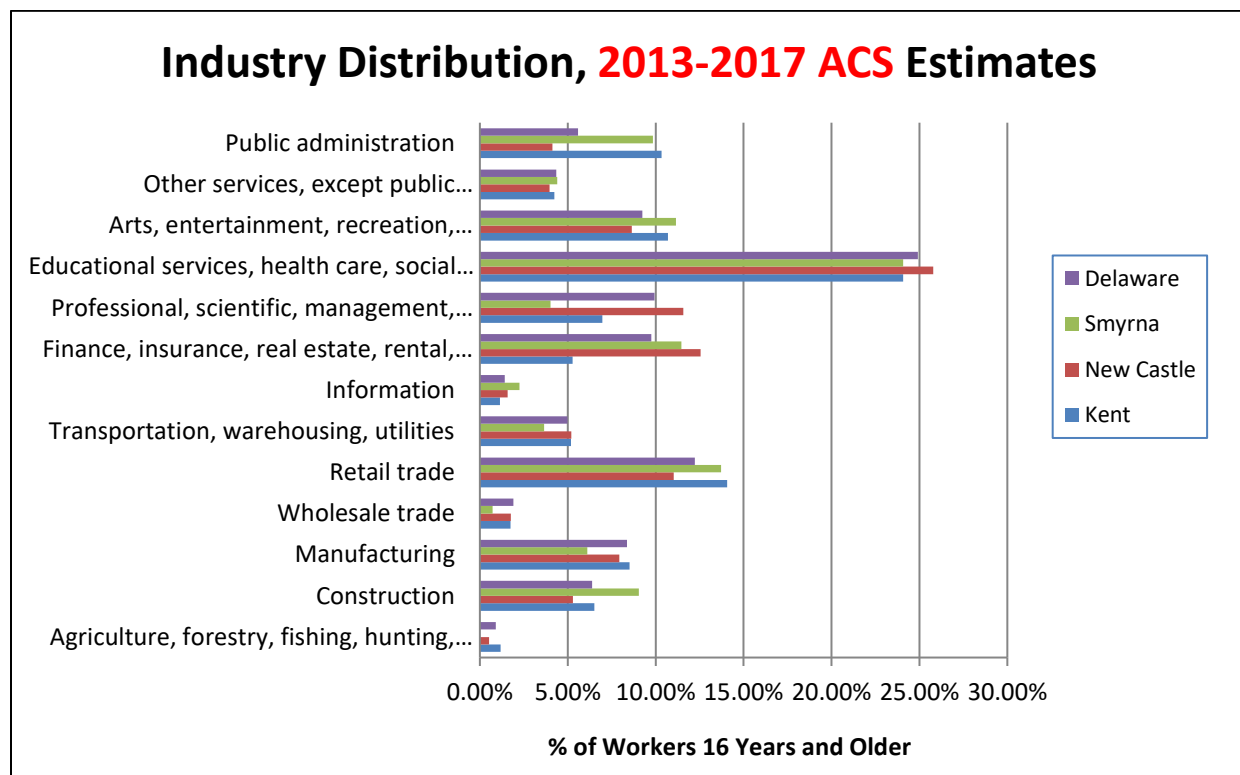


Source: 2013-2017 ACS.

## Industry Distribution, 2017 American Community Survey

According to the U.S. Census Bureau, 2013-2017 ACS estimates, Smyrna is consistent with Kent County, New Castle County and Delaware industry distribution levels in a number of categories, again reflecting a diversified workforce.

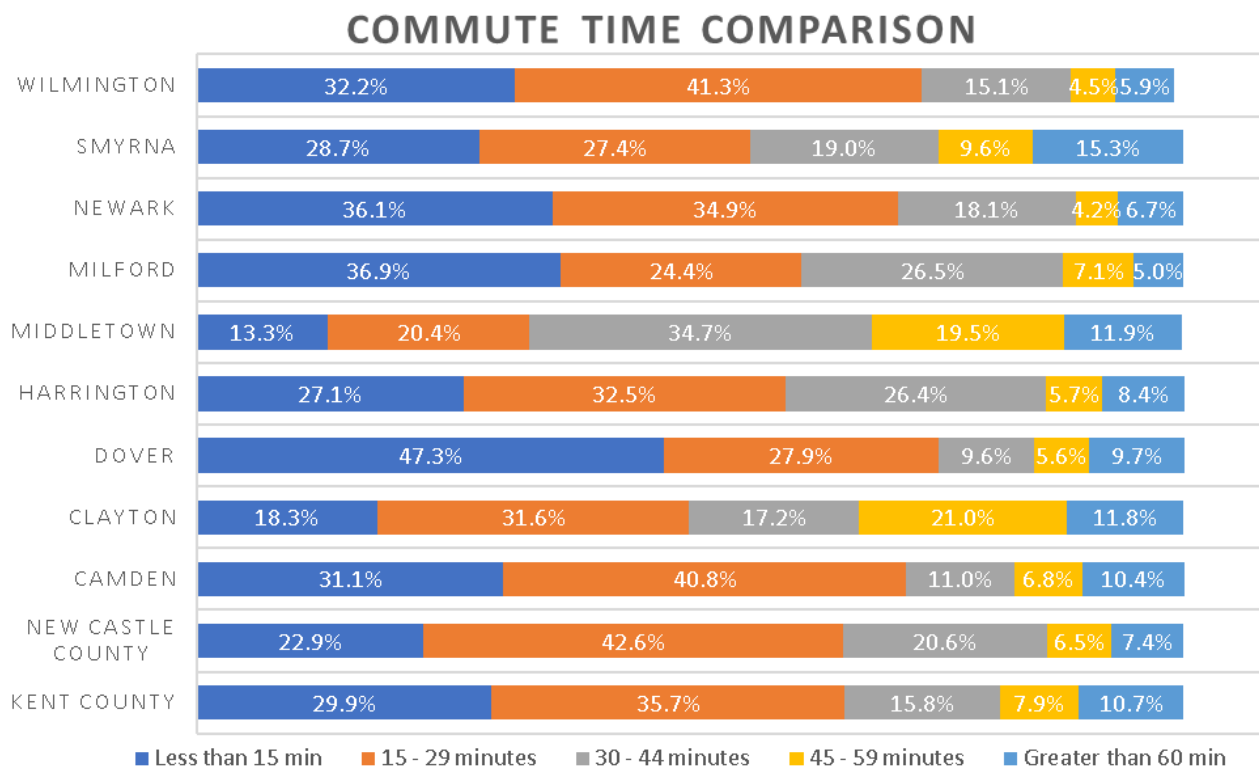
Reflecting its proximity to SR 1 and to the City of Wilmington, Smyrna has a significantly greater percentage of its workforce in the finance industry sector than does Kent County. Reflecting its proximity to the state agencies in Dover, both Smyrna and Kent County both have more than double the percentage of their workforce employed in the public administration industry sector. As stated previously, the closure of Harris Manufacturing in Smyrna has led to a three and half percentage point drop from 9.6% to 6.1% of the workforce, which is a substantially smaller proportion of the workforce than in either County or Delaware as a whole. Both Smyrna and Kent County have a significantly smaller proportion of their workforce employed in the professional/scientific management sector compared to New Castle County or Delaware as a whole. With the expected construction of significant new housing north of Duck Creek, combined with the build-out of the Duck Creek Business Campus, Smyrna's industry distribution will likely continue to evolve and more closely mirror that of New Castle County.



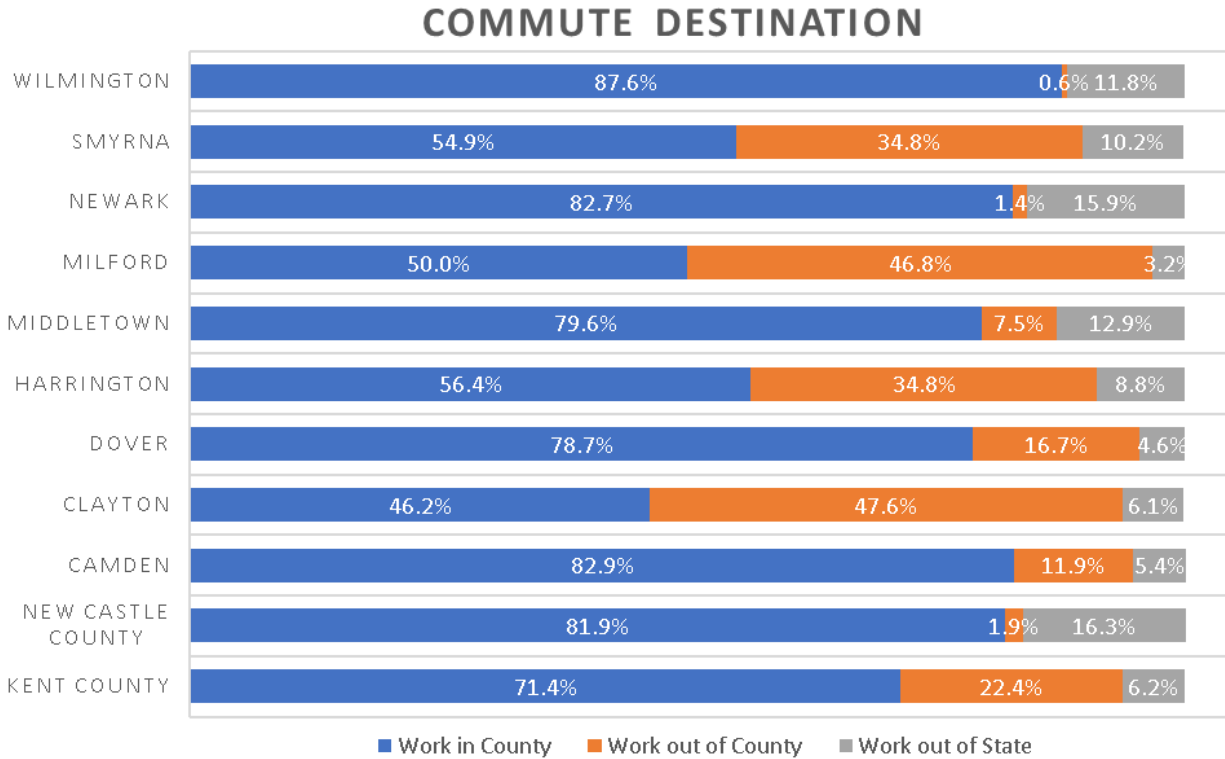
Source: 2013- 2017 ACS.

## **Commuting Patterns, 2017 American Community Survey**

As shown on the below charts, Smyrna's commuting patterns are, like Middletown and Clayton, reflective of an exurban bedroom community. With a mean average commute time of 30.3 minutes, Smyrna has among the longest average commute times in the State; only Clayton (34.7 minutes) and Middletown (37.1 minutes) have longer average commute times. Approximately 43.9% of Smyrna residents commute 30 or more minutes to work compared to only 24.9% of Dover residents, 25.5% of Wilmington residents, 28.2% of Camden residents, and 29% of Newark residents. Meanwhile, 66.1% of Middletown residents and 50% of Clayton's residents commute at least 30 minutes to work. While the build-out of the North Duck Creek Business Campus will partially and potentially correct and lower Smyrna's average commute times (with the availability of large numbers of local jobs), the large-scale influx of jobs to Middletown is a case in point example that this is not often the case. Simply put, the proximity to their work is one of many (and often-times not the most important) factor that individuals and families consider when choosing a location to reside. This phenomenon will likely continue and may exacerbate in coming decades.



*Source: 2013-2017 American Community Survey Estimates*

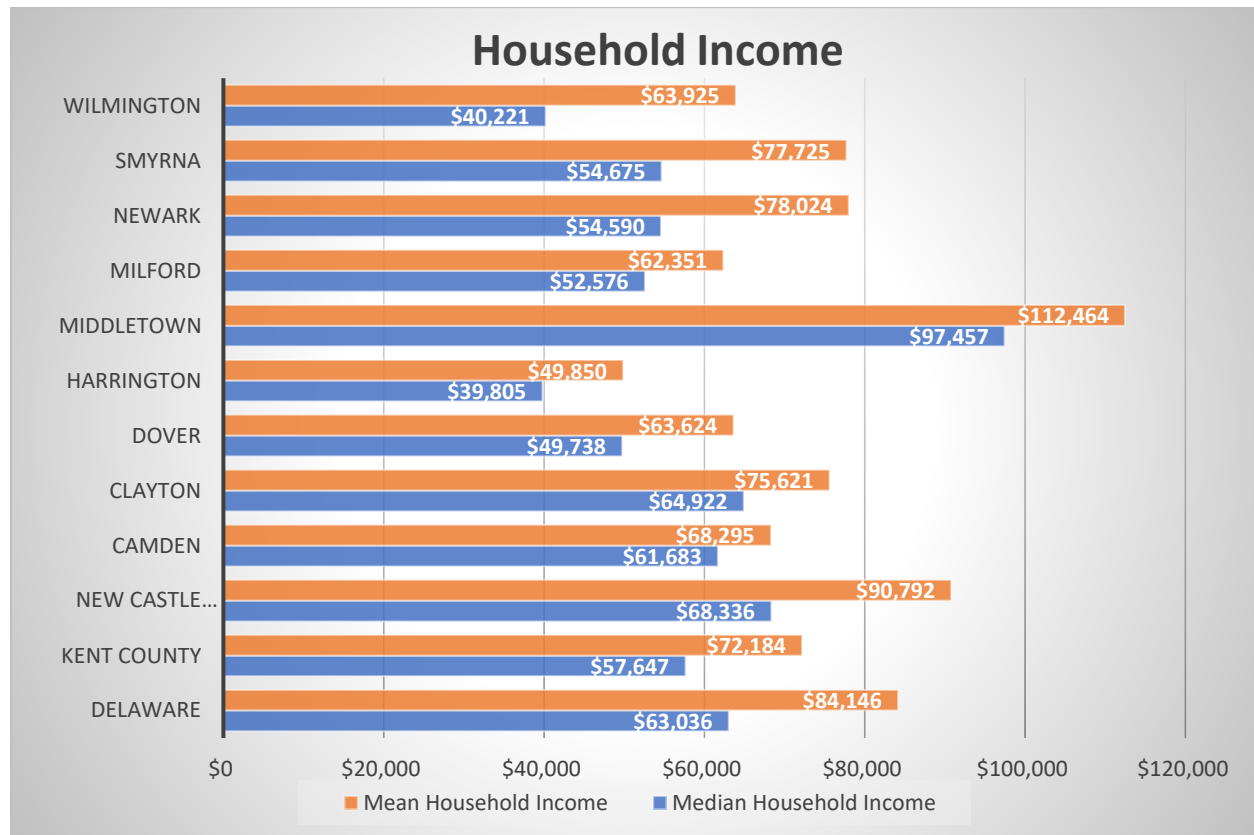


*Source: 2013-2017 American Community Survey Estimates*

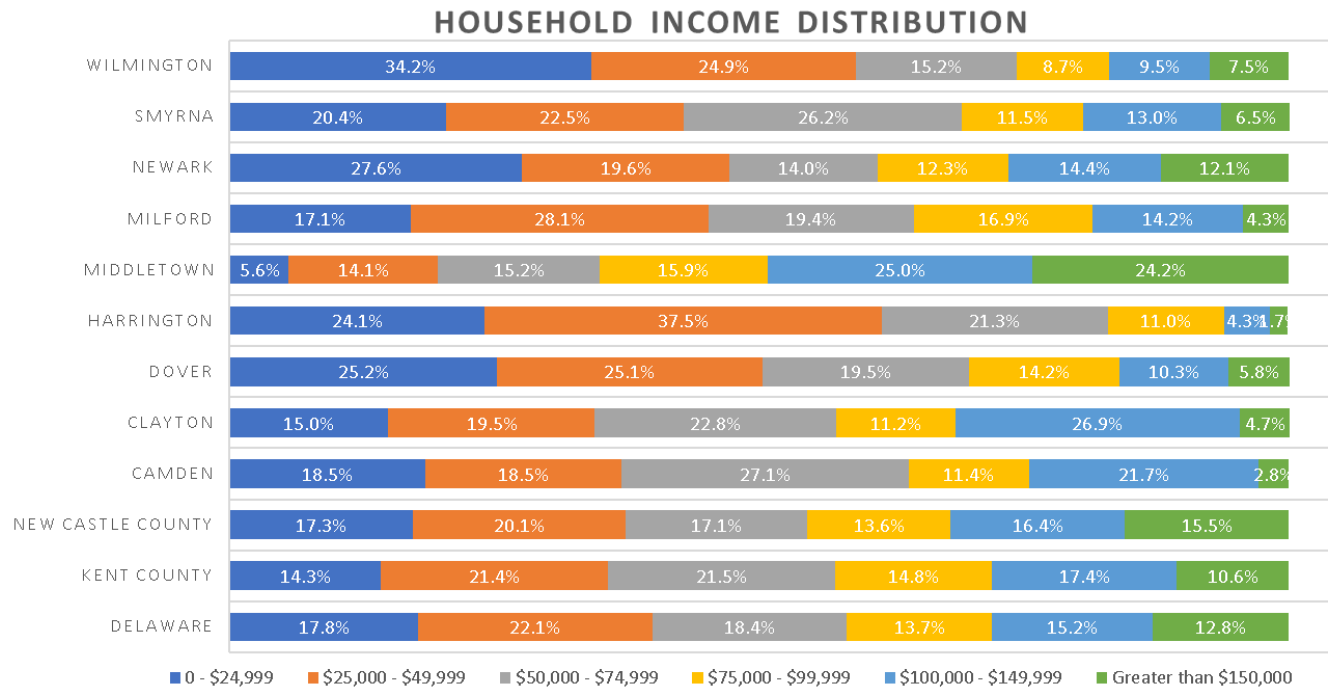
As shown in the chart above, approximately 54.9% of Smyrna's population works either in the Smyrna/Clayton area or commutes to work elsewhere in Kent County (principally in Dover). Meanwhile, 34.8% of Smyrna's population commutes to locations in New Castle County to work. Given that most of the dwellings in Smyrna will be constructed north of Duck Creek in the coming decade, the percentage of Smyrna residents commuting to New Castle County will likely further increase, and perhaps surpass the number of Smyrna residents working in Kent County at some time in the future.

## **Household Income and Economic Indicators, 2017 American Community Survey**

According to the U.S. Census Bureau, 2013-2017 American Community Survey estimates the median household income in Smyrna was \$54,675 and a mean household income of \$77,725, comparable to Kent County's median household income of \$57,647 and mean household income of \$72,184. As shown in the chart below, both Kent County and Smyrna have significantly lower median household incomes compared to New Castle County (\$68,336) and Delaware as a whole (\$63,036). When compared to other comparable municipalities in New Castle and Kent Counties, Smyrna falls within the middle of the pack. Smyrna's median and mean household incomes exceed that of larger cities like Dover and Wilmington and downstate rural towns like Harrington, but are less than those in Middletown, Camden, and Clayton. One of the reasons the latter two communities have higher household incomes relates to the preponderance of new single-family homes and subdivisions (compared to townhouse and apartment dwellings whose household incomes tend to be less).

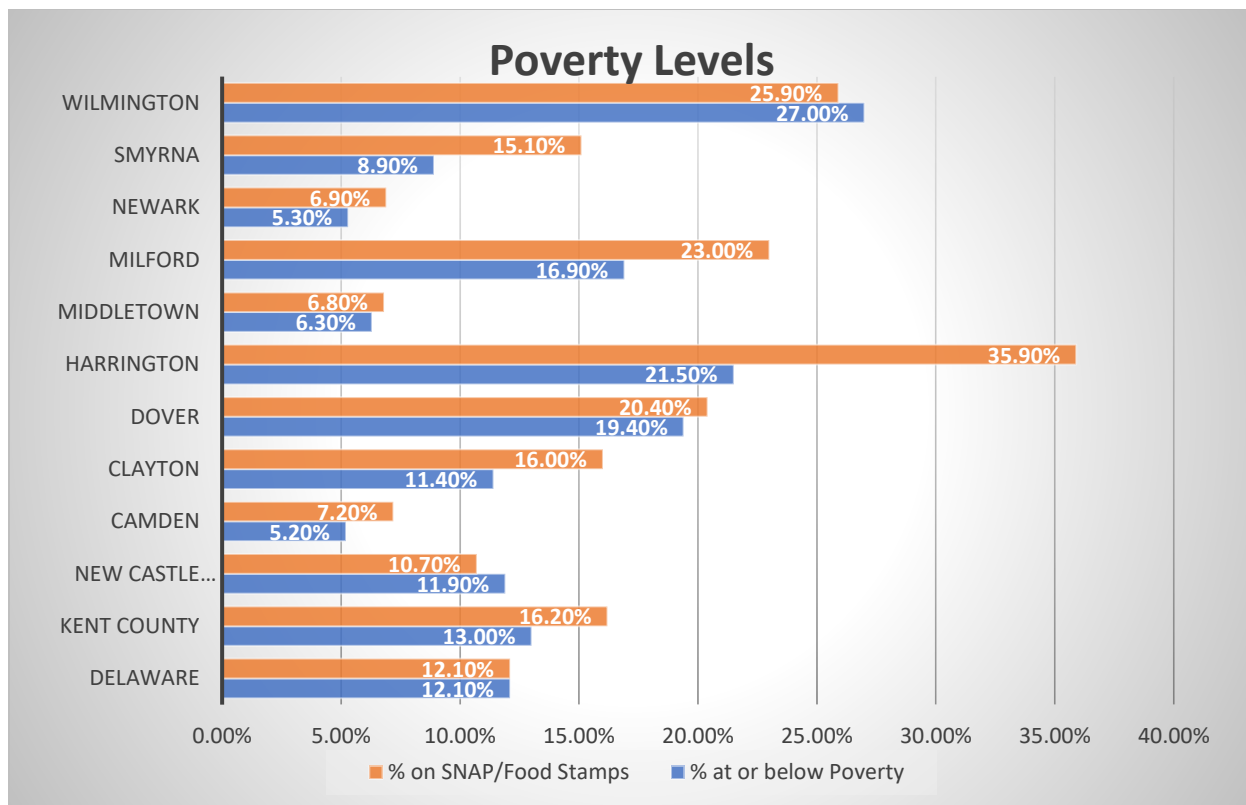


Source: 2013-2017 American Community Survey Estimates



*Source: 2013-2017 American Community Survey Estimates*

As shown on the above table, Smyrna has a healthy mix of household incomes within the Town using the most recent 2013-2017 American Community Survey data. Approximately 42.5% of Smyrna's households make less than \$50,000 per year, while 31.5% of households make at least \$75,000 per year, and the remaining middle category of 26.3% of households make \$50,000 to \$74,999. Outside of Camden, Smyrna has the largest percentage of the latter category of middle-income households of any other jurisdiction. It should be noted that Smyrna has a significantly lower percentage of high-income households (> \$150,000 per year), and a greater percentage of lower income households (<\$25,000 per year) than does either Kent County, New Castle County, or Delaware as a whole. However, this phenomenon is applicable to almost all towns (as shown on the chart above), because public and subsidized multi-family dwelling units are far more likely to be located within municipalities (and connected to public water/sewer), while higher income households tend to live in larger dwellings, and are more often located on larger lots on well and septic outside of municipalities. Smyrna is comparable to (or slightly wealthier) than other municipalities in New Castle and Kent Counties, save for Harrington (where 61.5% of households make less than \$49,999) and Middletown (where only 19.7% of households make less than \$49,999).



*Source: 2013-2017 American Community Survey Estimates*

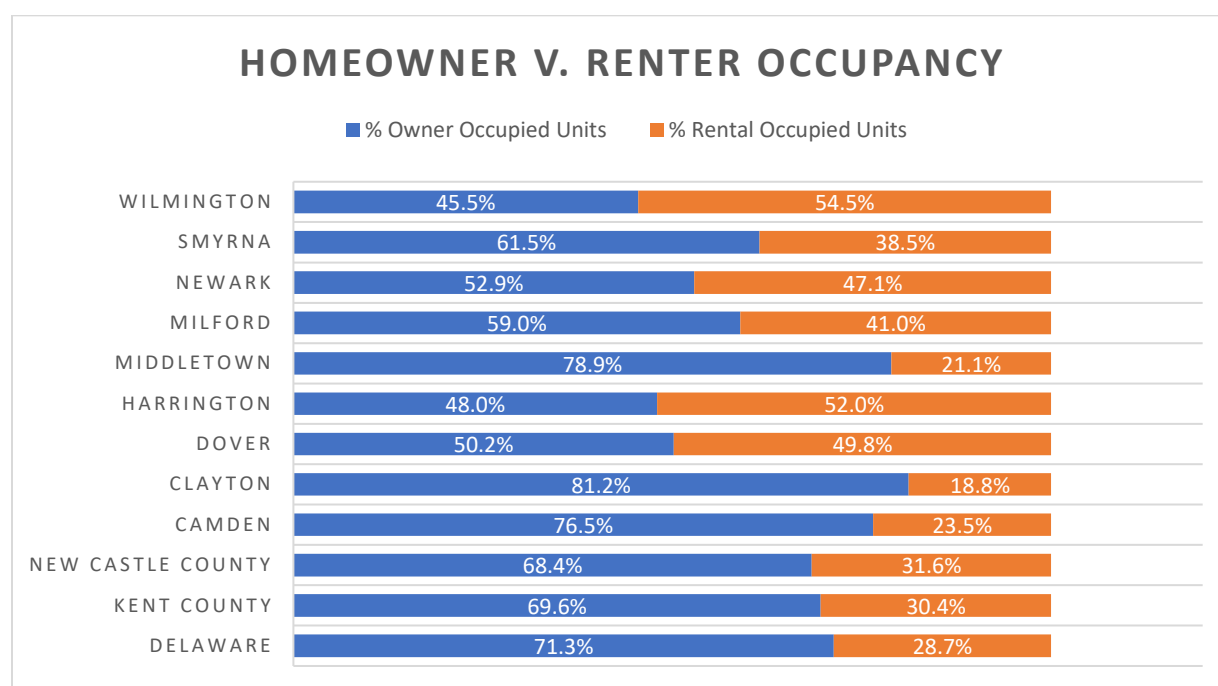
According to the U.S. Census Bureau, 2013-2017 American Community Survey estimates, approximately 8.9% of households are at or below the poverty line, while 15.1% of households are on federal assistance (SNAP/food stamps). The percentage of Smyrna households below the poverty line is among the lowest of any municipality statewide, including New Castle County, Kent County, and Delaware as a whole. Like Harrington, Milford, and Clayton, Smyrna has a significantly higher percentage of its population on government assistance (SNAP/food stamps) than are in poverty, reflecting a relatively high number and percentage of working poor in the community. Even with an elevated percentage of households on government assistance, Smyrna still has a lower percentage than does Dover, Wilmington, Milford, Harrington, Clayton, and even Kent County.

Meanwhile, an estimated 3.6% of Smyrna's residents are unemployed, compared to 4.10% of Kent County residents and 4.0% of Delaware residents as a whole, based up 2017 American Community Survey Estimates. Comparable municipalities in New Castle and Kent Counties ranged from 1.60% in Camden to 6.20% in Harrington in their unemployment figures. However, because these unemployment figures are survey estimates (each with a full 1-3% margin of error), actual unemployment figures for each municipality may vary slightly.



## **Households, 2017 American Community Survey**

According to the U.S. Census Bureau, 2013-2017 American Community Survey estimates, there are 4,371 households in Smyrna, 70.7% (3,092) of which are considered family households. This represents an increase of 18.39% in the number of new households, and an increase of 18.51% in the number of new families in Smyrna since the 2010 Census. The U.S. Census Bureau defines family households as those households consisting of a householder and one or more other people related to the householder by birth, marriage or adoption. In Smyrna, the average family household size is 2.65 persons. As previously stated, the age distribution for Smyrna suggests that Smyrna is attractive to young families; therefore, efforts continue to be made by the Town of Smyrna to maintain a housing market which offers an affordable housing mix.

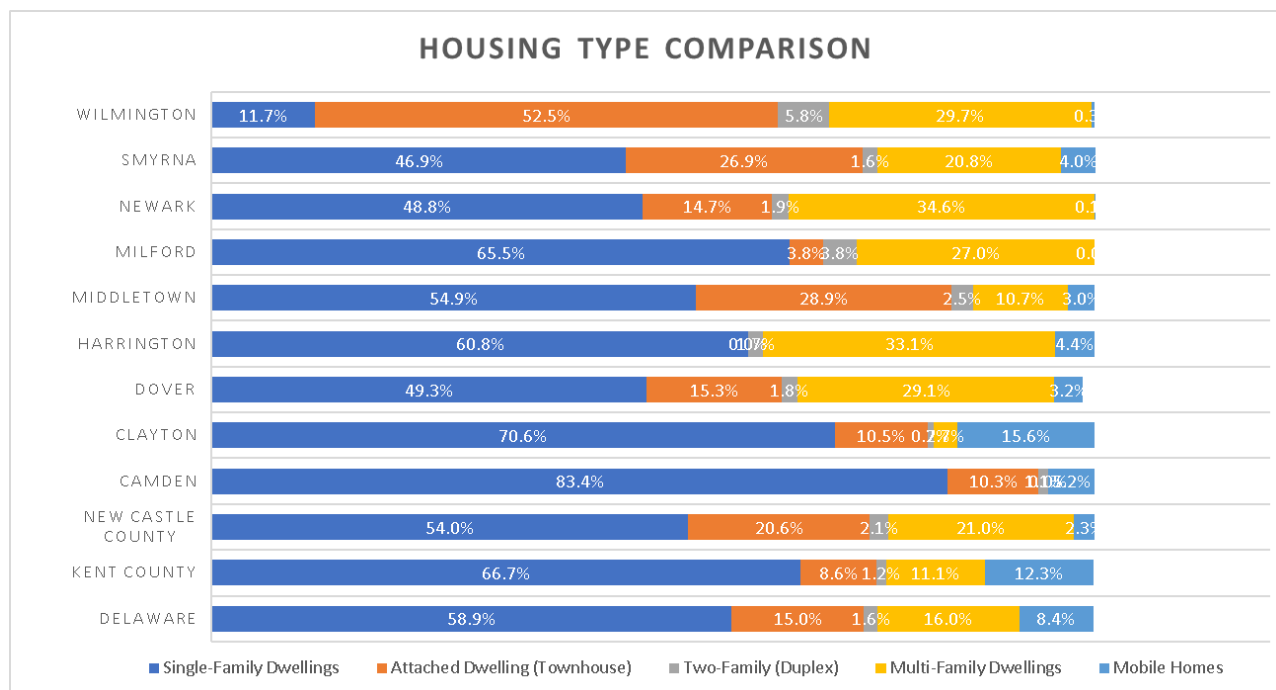


*Source: 2013-2017 American Community Survey Estimates*

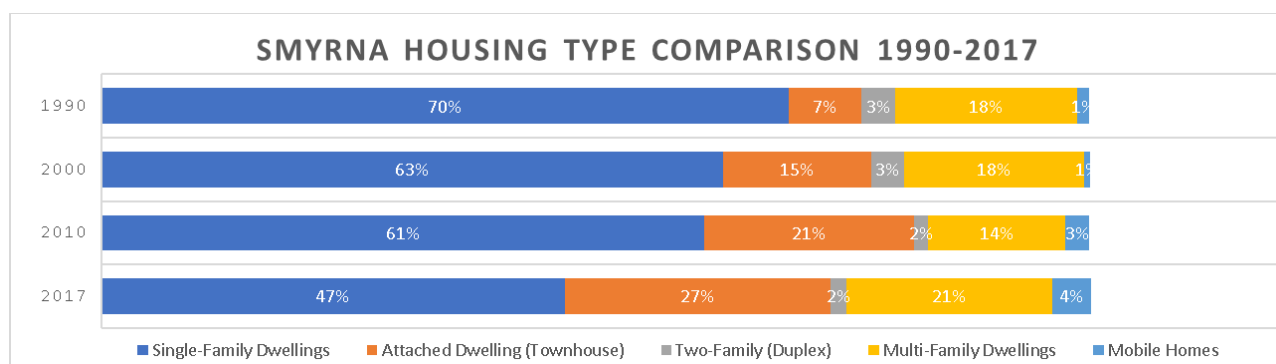
According to the 2013-2017 American Community Survey estimates, 61.5% of Smyrna's housing represented homeowner occupied housing, down from 68.9% in 2010. Meanwhile, the percentage of renter-occupied housing has increased from 31.1% in the 2010 to 38.5% in 2017. Since the overwhelming majority of new housing units constructed since 2016 have been single-family dwellings, townhouses, and duplexes, the percentage of rental housing units will likely decrease in future years. As shown on the chart above, Smyrna's percentage of rental-housing units is significantly higher than New Castle County (31.6%), Kent County (30.4%), and Delaware as a whole (28.7%). However, when compared to other municipalities, Smyrna has among the lowest percentage of renter-occupied housing.

## Housing Type, 2017 American Community Survey

According to the U.S. Census 2013-2017 American Community Survey Estimates, only 46.9% of the housing units in Smyrna are single-family detached dwellings, which is significantly lower than New Castle County (54%), Kent County (66.7%) and Delaware as a whole (58.9%). Even compared to other municipalities, Smyrna has the lowest percentage of single-family detached dwellings, except for the City of Wilmington (11.7%). Since the 1990 Census, the percentage of townhouse attached dwellings in Smyrna has increased from 7.38% of the total to 26.9% in 2017, while the percentage of multi-family apartment dwellings has increased from 18.42% to 20.8%. Given that the preponderance of vacant building lots are for single-family detached dwellings, the percentage of single-family detached dwellings will likely increase to somewhere in the mid-50% range upon build-out of the remaining recorded residential subdivisions.



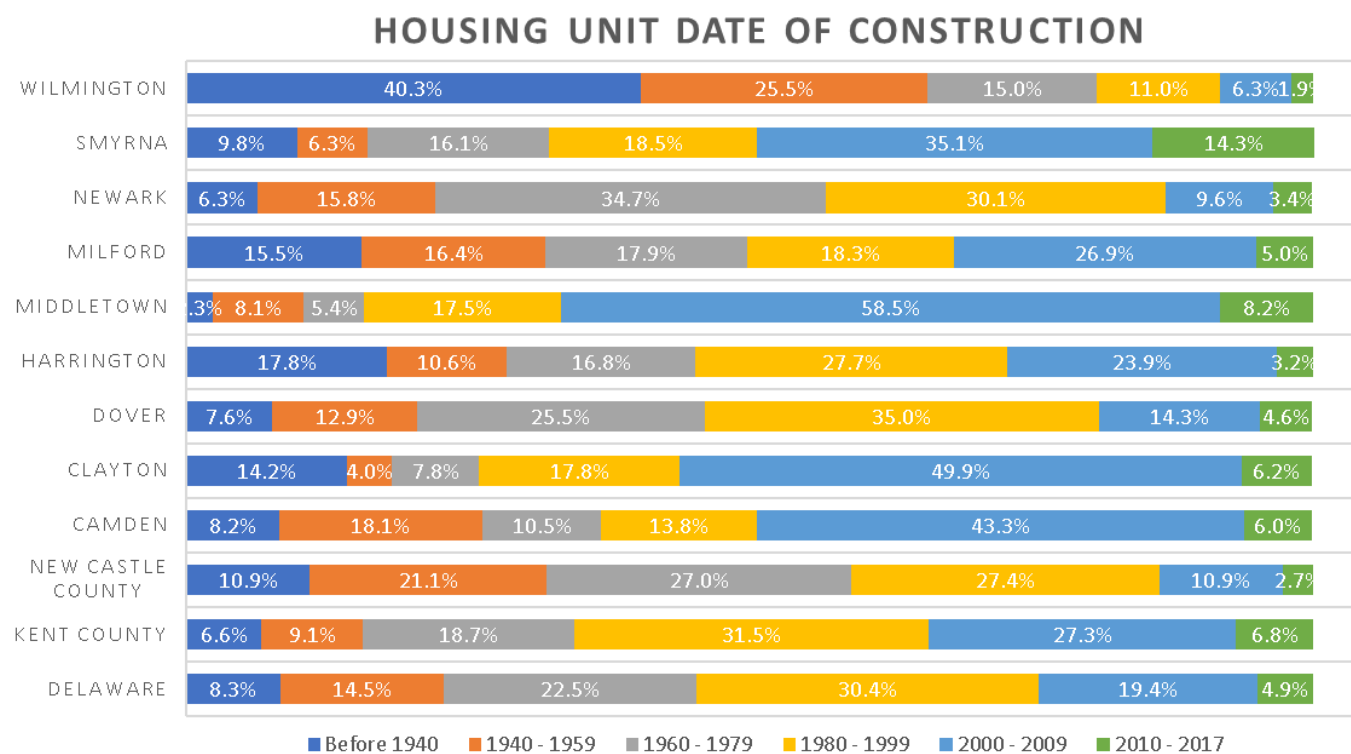
*Source: 2013-2017 American Community Survey Estimates*



*Source: 1990, 2000, 2010, 2017 U.S. Census Data & American Community Survey Data*

## **Housing Unit Date of Construction, 2017 American Community Survey**

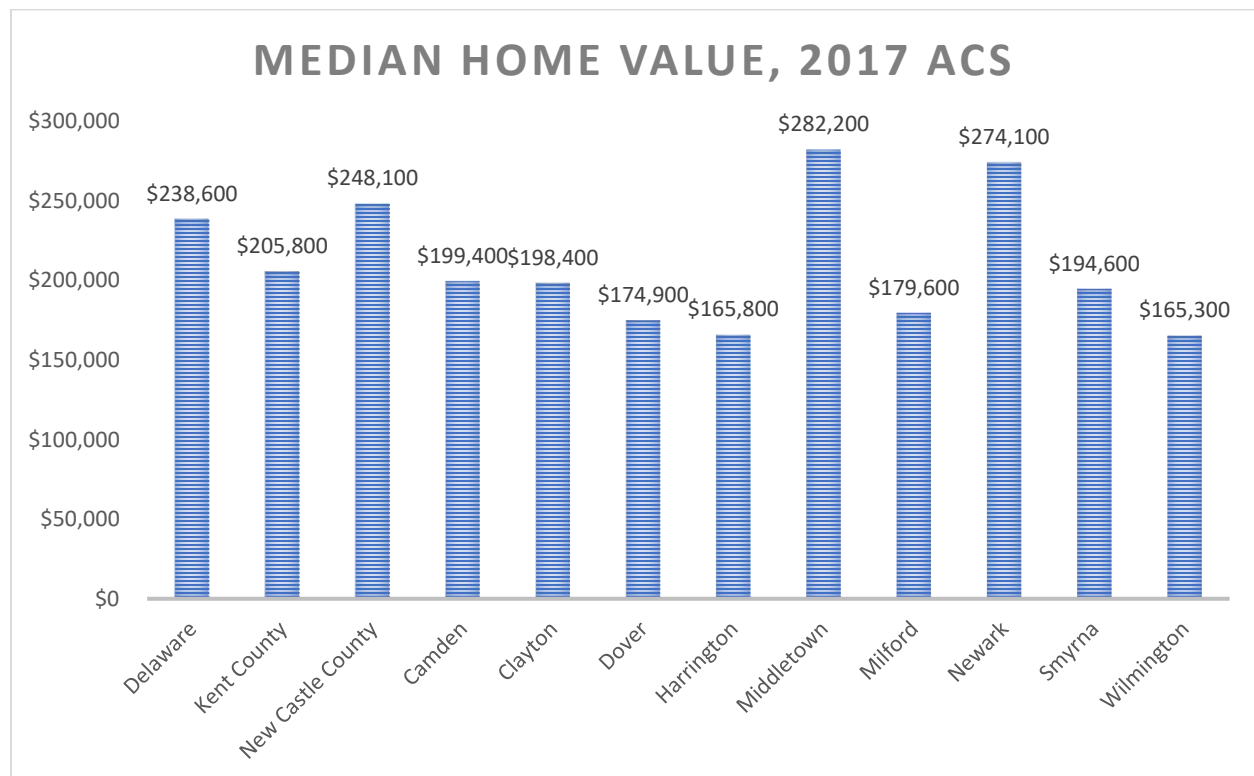
According to the U.S. Census 2017 American Community Survey, 35.1% of the dwelling units in Smyrna were constructed between 2000 to 2009, the fourth highest of any municipality (or county) in Delaware; only Middletown (58.5%), Clayton (49.9%) and Camden (43.3%) had a greater percentage of its housing stock constructed during this time period. This trend reflects the significant growth that those communities along SR 1 experienced with the opening of this roadway, and a nationwide building boom. As shown on the chart below, Smyrna actually leads the State with the percentage of new construction since 2010 (14.3%), which reflects the strong residential building pressure and attractiveness despite a nationwide housing recession earlier in the decade. Meanwhile, the earlier 1980's building boom (1980 – 1999) accounted for the greatest percentage of housing in Kent County (31.5%), New Castle County (27.4%), Delaware as a whole (30.4%), and the City Dover (35.0%). It is expected that a significant percentage of new housing will be constructed in Smyrna in the next two decades prior to its eventual build-out.



*Source: 2013-2017 American Community Survey Estimates*

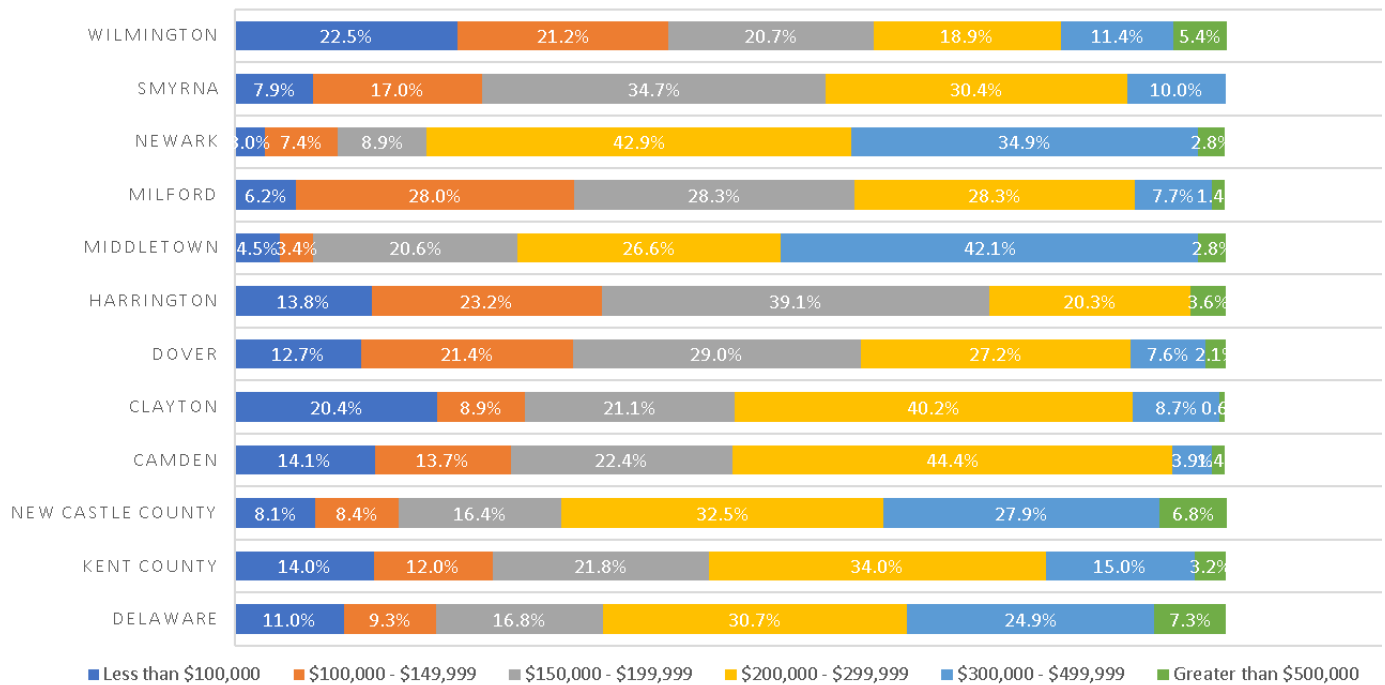
## **Housing Costs, 2017 American Community Survey**

Based on the U.S. Census Bureau, American Community Survey 2013-2017 estimates, the median value of owner-occupied homes in Smyrna is \$194,600, down from \$201,000 in the 2010 Census. Smyrna's median home value is significantly less than Kent County (\$205,800), New Castle County (248,100), and Delaware as a whole (\$238,600). Smyrna's median home value is comparable to and slightly higher than some, other municipalities in Kent County, but it is significantly less than the median home value of Middletown (\$282,200) and Newark (\$274,100) in New Castle County. The latter fact will likely continue to attract New Castle County residents to purchase a home and live in Smyrna given the lower cost of housing, but still within easy commuting distance to employers in northern New Castle County.



*Source: 2013-2017 American Community Survey Estimates*

## HOME VALUE COMPARISON, 2017 ACS

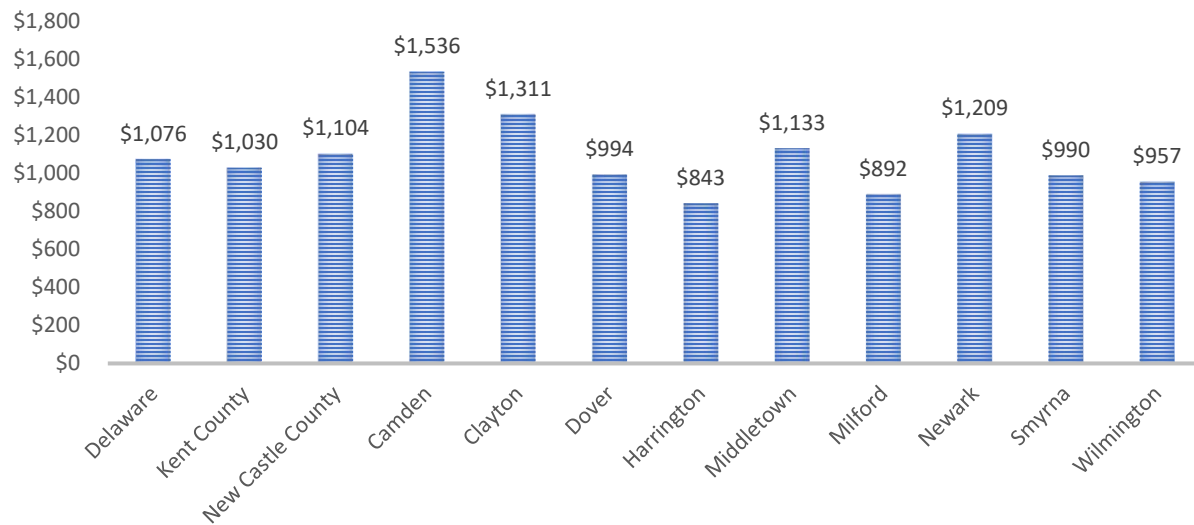


Source: 2013-2017 American Community Survey Estimates

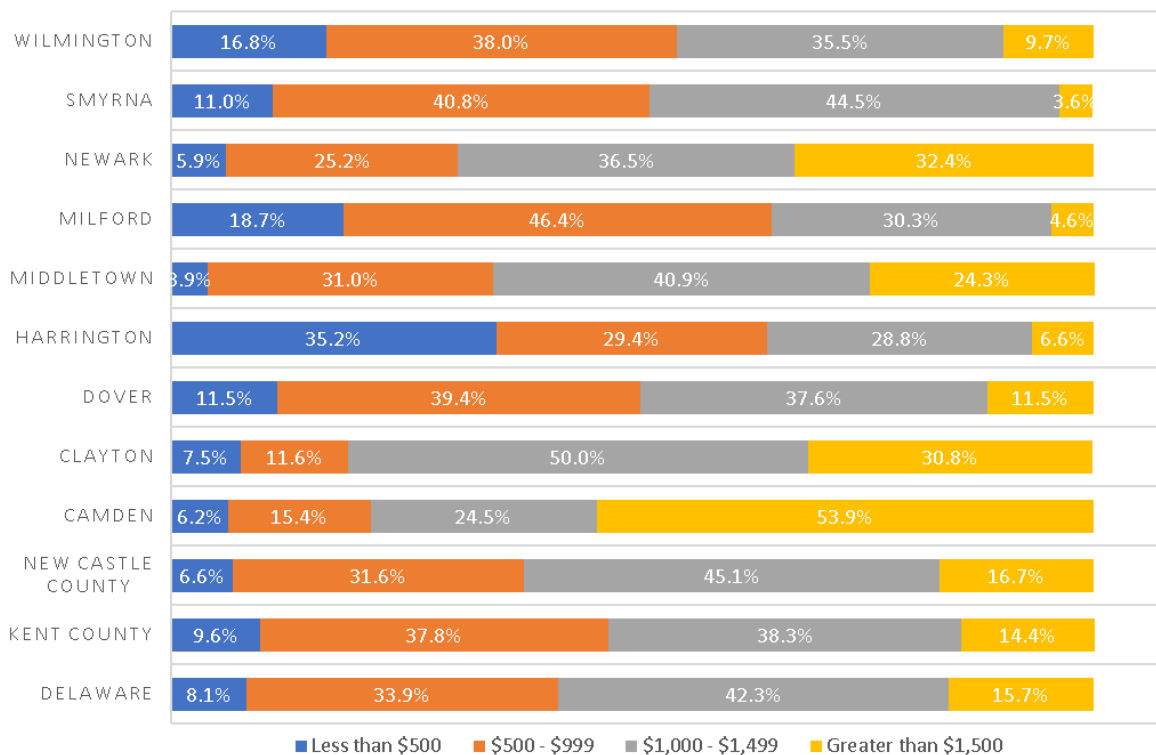
According to the U.S. Census American Community Survey 2013-2017 estimates, 65.1% of Smyrna's housing stock is valued at between \$150,000 to \$299,999 (i.e. the middle household value ranges). This is similar and comparable to Camden and Clayton, which also experienced significant residential growth between 2000 and 2010. Only 23.9% of Smyrna's housing stock is valued at less than \$150,000, which is significantly less than Dover (34.1%), Harrington (37.0%), Milford (32.2%), and Wilmington (43.7%). However, only 10.0% of Smyrna's housing stock is valued at more than \$300,000, and according to this survey data it includes no housing valued over \$500,000. This contrasts sharply with Newark (37.8%), Middletown (44.9%), and New Castle County (34.7%) in the percentage of housing stock valued over \$300,000. If Smyrna is able to attract significant numbers of high-wage jobs and employers, as is possible and likely to occur in the North Duck Creek Business Campus, it may increase housing demand and thus increase the average home sale value and selling price.

As shown on the graph on the next page, Smyrna has a median gross monthly rent of \$990 per month, which is significantly lower than Kent County (\$1,030), New Castle County (\$1,104), and Delaware as a whole (\$1,076). What is more, Smyrna has among the lowest median gross rents of any municipality in New Castle or Kent County except for Milford, Harrington, or Wilmington.

## MEDIAN GROSS MONTHLY RENT, 2017 ACS



## GROSS MONTHLY RENT BREAKDOWN, 2017 ACS



Source: 2013-2017 American Community Survey Estimates

## **CHAPTER 3 – LAND DEVELOPMENT PLAN**

### **INTRODUCTION**

A Comprehensive Plan describes the anticipated future impacts on the community and its development. It quantifies anticipated development and how the town expects to handle development issues. It includes individual plans for the development and extension of utilities, infrastructure and public facilities. It attempts to quantify the effects of future growth on transportation and describes how the Town expects to deal with such growth. It also describes how the town expects to handle future housing and economic developments, and future environmental and recreation issues. It is essential for the development plan to be coordinated with other levels of government in surrounding towns and counties and the state. Each of these are discussed in this Chapter and are represented on the Figures included in Appendix D.

The Smyrna Development Plan is a guide to be followed by the Town, property owners and developers in addressing the future physical and economic development of the Town and its immediate surroundings. Many of the elements involved with the growth and development of the area are interrelated, so that the effective resolution of an issue must involve simultaneous concern for the other issues.

### **ASSUMPTIONS**

A number of assumptions provide the basis for the 2020 Comprehensive Plan Update. Among the most important assumptions related to the plan are the following:

The completion of SR 1 north of Smyrna makes the area more attractive to future residents and employers.

The Town's population is likely to continue growing at a steady rate. The number of new housing starts has ranged from 97 in 2011 to 163 in 2019.

The build-out of the 212-acre Duck Creek Business Campus, and the attraction of new large-scale employers to said business park, will continue to fuel the residential and commercial retail growth to Smyrna.

That the four existing large employers in the area, the Wal-Mart Distribution Center, the Department of Corrections, the Smyrna School District, and the Delaware Hospital for the Chronically Ill, and other major employers will continue to be important.

The Town of Smyrna, while welcoming the opportunity to serve new residents, has no interest in becoming simply a bedroom community to other regional employment centers. The Town seeks to become a regional employment and shopping center to complement Middletown to the north and Dover to the south.

## ISSUES AND GOALS

In the planning process for this comprehensive plan update, five major issues emerged which have shaped the nature of the plan and its implementation recommendations.

1. As part of a national and statewide trend, traditional large-scale manufacturing facilities in Smyrna, including Harris Manufacturing and General Clothing, have closed since the early 2000's. Statewide, Delaware has lost 15,900 (or 38%) of its manufacturing jobs since 2001. This has only partially been offset by the construction of the Walmart Distribution Center and the build-out of the Smyrna Business Park. The Town should actively work and coordinate with county and state economic development agencies and the private sector to ensure the timely build-out of the newly opened Duck Creek Business Campus. The long-term redevelopment of the Route 13 Corridor from low density strip commercial into a higher-density mixed use corridor (as planned in the 2012 Smyrna U.S. 13 Corridor Plan and Design Book) has the potential to attract significant numbers of additional service and retail-oriented jobs.
2. The preservation of historic buildings and the gradual decline of the historic central downtown business core continue to be addressed in the Town's policies. In 2016, the Town obtained State designation for a 147-acre Downtown Development District, which allows property and business owners to apply for state rebate funding for the rehabilitation of existing buildings and construction of new buildings in Smyrna's downtown core. Preservation of a healthy setting and attitude for the historic and architectural assets of the central core is important to the preservation of the individual buildings. The Town should continue to support the redevelopment of downtown buildings and properties consistent with retention of the area's historic character and resources. This requires an effective partnership between the Town, the Smyrna Redevelopment and Slum Clearance Authority, the Smyrna Downtown Renaissance Association, and private business and property owners.
3. Since 2000, the Town of Smyrna has annexed 1,596 acres of land (138 acres since 2013), which doubled the land area of the Town's municipal boundaries. Smyrna has pro-actively used annexation as a tool to control growth around the periphery of the town, particularly to avoid uncontrolled strip development and scattered development patterns. In doing so, it has protected the interests of the existing Town residents. In addition, annexation offers opportunities to establish business and/or office and research parks to bring about desired employment opportunities and the proper balance between residential and non-residential development of the community. Since the Town is bounded to the east and southwest by protected lands, to the west by Clayton, and to the south by existing residential subdivisions developed under Kent County, there are only a limited number of parcels along Route 13 at the northern and southern gateways that the Town is able and prepared to annex within the next ten years.



4. Since 2000, the Town has nearly doubled in population with the construction of thousands of new housing units, primarily in suburban subdivisions south of Lake Como. This growth has led to growing pains, created challenges as to how to best incorporate these new residents and businesses into the Town, and how to expand municipal amenities to service their needs. Smyrna must also be an active and informed participant in planning activities of the State, both Kent and New Castle counties, and nearby communities in order to protect the town's interests and ensure that Smyrna can forge its own destiny.
5. The extension of utilities is a strategic planning tool for the Town, both to encourage development of appropriate uses in desired locations and to prevent unnecessary and inefficient 'leapfrogging' or bypassing of vacant parcels and tracts of land.

## **SECTION 1 - LAND USE PLAN**

### **GROWTH**

The principal goals for growth are to achieve a steady rate of planned growth while allowing for the efficient expansion of public services in the urbanized area and ensuring the maintenance of the essential character of the community.

Policies supporting these goals include:

- a. The Planning and Zoning Commission must consider the existing pattern of the urbanized area, availability of or proximity to public services, and policies adopted within this planning document when making decisions on subdivisions, special use permits, or site plan approvals, and when making recommendations on rezoning and annexations to the Town Council.
- b. Sufficient information on marketability, costs and benefits to the Town, and construction phasing of the project must be available to the Town in order to make informed decisions on proposed developments.
- c. Those areas which may be annexed in the future must be consistent with the annexation plan for the community, done in a manner that maintains the character of the town, carefully linked to the overall growth goals, and consistent with the availability of public utilities and services, including Fire Service, Police Service, and Schools.

## LAND USE COMPATIBILITY

Land uses should be so located that efficiency and convenience are created by placing compatible uses adjacent to one other, so that undue disturbances and hazards are avoided by the physical distance between incompatible uses and so that adequate buffers and barriers are provided at places of transition between uses.

Policies supporting these goals include:

- a. Careful reservation of sites for and mixing of uses which support newly developing areas, such as neighborhood commercial clusters, senior citizen and community centers, schools, or places of worship.
- b. Assuring the reservation of sufficient business and commercial sites to permit competitive industrial land value pricing and to discourage speculation on a fewer number of sites.
- c. Placing specific setback, screening and landscaping requirements, and performance standards at zoning district boundaries.
- d. Evaluation of rezoning requests and development plans utilizing criteria established by the Comprehensive Plan, the zoning and subdivision ordinances, and other land development and construction codes and plans.

## GENERAL PLAN CONCEPT

The physical development pattern of the Smyrna-Clayton area has emerged from a series of bypasses of the original historic core of Smyrna. The first was the construction of the main rail line to the west, creating the impetus for the emergence of Clayton as a separate community with significant manufacturing activities. The second was the routing of the DuPont Highway (Route 13) along the eastern edge of the built-up area of Smyrna. The third was the construction of SR 1, the limited-access highway (the Route 13 Relief Route) further to the east. The fourth was the connection of Kent County's central sewer system to the Town, which has both expanded capacity for growth and opened the vacant areas south of Lake Como to new growth.

Each of these events has had the effect of encouraging location of important residential, commercial, and industrial nodes away from the original downtown crossroads of Smyrna, frequently leaving intermediate sites undeveloped and leading to a scattered and fragmented development pattern. Such fragmentation tends to increase transportation and infrastructure costs and to reduce the concentrations of uses that would permit economies of scale beneficial to businesses, to the Town, and to its inhabitants.

With the development of outlying areas of industry, retail and office functions, and residential areas, the downtown core had become characterized by a lower level of activity than might be desirable in a town center. On the other hand, the growth of commercial areas along Route 13

and Route 300 (Glenwood Avenue) has meant less pressure to demolish historic structures, leaving a large district of historically and architecturally significant structures which has been placed on the National Register of Historic Places. Many of the important governmental, educational, financial, and religious institutions of the Town remain concentrated in this area, but the downtown commercial identity had suffered from a lack of visibility and vitality. Public and private efforts continue to pursue an aggressive revitalization program to reinvigorate the historic heart of the community.

The Town recognizes the need to provide for future growth through an efficient and thoughtful series of infill development opportunities while allowing for the expansion of the Town's physical boundaries, as defined in the annexation element, as a tool to manage surrounding growth. In addition, the Town recognizes that the surrounding waterways, woodlands, and productive farmlands form an important resource network and an attractive setting for the development of Smyrna. Continued scattered outward development has the potential to threaten these important resources, while timely development of bypassed infill parcels and incremental growth adjacent to existing developed areas can have the dual advantage of cost efficiency and protection of the natural environment.

The Town's leaders remain committed to recruiting new employment opportunities, particularly higher-wage jobs outside the retail/service sector for the area's residents. In the late 1990's, the Town subdivided and developed a 95-acre business park along Route 300. The business park has been built out, whereby only four lots comprising approximately 9.6 acres are available for sale and development. In 2005, Walmart constructed a 1,000,000+ sq. ft. distribution facility, which employs more than 1,000 workers. In 2007, a 212-acre farm north of Duck Creek was annexed into the Town, and subsequently purchased and subdivided by the KRM Development Corporation into the Duck Creek Business Campus. With the construction of water, sewer, gas, and road infrastructure to the site in 2018-2019, this business campus will be the primary location for new large-scale employers in the coming decades.

The primary motivating forces of the Smyrna Development Plan are strategies to:

- identify appropriate locations for and to attract new businesses to the community;
- achieve a more compact and pedestrian-oriented pattern of residential and neighborhood commercial development that mimics and complements the historic neighborhoods in Smyrna;
- encourage the revitalization of the downtown by promoting reuse of historic structures in the central core of the Town, and by securing new economic activity in the community;

- support annexation of adjacent areas (particularly along the Route 13 gateways) as a protection against uncontrolled development which would affect the character, attractiveness, and livability of the Town;
- Protect the natural and scenic resources of the area.

## LAND USE PLAN

The Land Use Plan provides a framework for future growth and development in the Town of Smyrna and describes preferred relationships among land use types and intensities. By examining the land use plan as a whole, it is intended that a greater understanding of the fabric and image of the entire community may be gained. *(See Figures 1,2, and 3 in Appendix D for the Existing Land Use and Future Land Use Maps.)*

Along with the zoning ordinance, subdivision regulations, environmental controls, and anticipated growth projections, the Land Use Plan has the force of law and guides all development regulations as set forth in 22 Del. C. Chapter 702. The proposed zoning districts outlined for each land use designation are for illustrative purposes based upon those existing zoning districts or those new zoning districts planned to be created by this Plan. This list shall not preclude the Town from creating or revising this list of zoning districts in the future so long as such districts conform to the intent outlined for each land use designation in this Plan.

### **1. Residential Land Uses**

Residential land use areas are mapped according to density, implying certain housing types. The residential element of the land use plan is intended to provide for a complete range of housing opportunities, offering variety in size, type, and density to meet the needs of all economic levels, household types, and lifestyles.

Within the framework of the overall residential land use categories, the plan emphasizes meeting the following goals:

- Encourage the infill development of vacant parcels, both small and large, which have been bypassed by previous development and remain undeveloped or underdeveloped within the built-up areas of the Town and where public services are already available. In-fill development within the older downtown residential neighborhoods shall mimic and complement the historic character of the surrounding neighborhood.
- Strongly encourage new large-scale residential development projects to use the 'Planned Village Community' design standards. This includes building a variety of housing types on generally smaller lots whose dwelling units are constructed close to the street. These new residential subdivisions are encouraged to include a grid pattern

of interconnected streets. Environmentally-sensitive areas shall be protected from development.

- Encourage developments that provide appropriate housing for low and moderate-income families, for single person households and empty nesters, and for elderly and handicapped persons. This is achieved through the construction of a variety of housing types and sizes, including allowances for accessory dwelling units.
- Require new large-scale residential subdivisions to provide adequate street and pedestrian connections between other residential subdivisions and commercial areas.

### Neighborhood Residential

This land use designation encompasses a wide variety of low and medium-density residential housing areas outside the historic core. These areas were previously designated as ‘Low Density Residential’ and ‘Medium Density Residential’ under the 2012 Smyrna Comprehensive Plan. These residential neighborhoods and subdivisions are generally suburban in character, and have been built out from the 1950’s to the present day. These residential neighborhoods comprise principally single-family detached dwellings (along with smaller numbers of duplex/twin dwelling units) on generally larger lots (especially when compared to downtown residential neighborhoods) and represent an overall gross density of between three to six dwelling units per acre.

This land use designation has been limited in this Comprehensive Plan to those residential subdivisions, which have already been platted, are being constructed, and/or are already built out. No additional residential subdivisions are expected to be built out under this land use designation. The principal purpose of this designation, and the accompanying zoning districts, is to protect the suburban residential character of these existing neighborhoods from incompatible uses and development. New development and housing units constructed should complement and enhance the character of these suburban neighborhoods. Adequate buffering should be used to limit the impact on these existing residential neighborhoods from adjacent and higher density commercial, industrial, and residential development. Residential neighborhoods under this land use designation shall be limited to single-family dwellings, duplex/twin dwelling units, and a limited number of institutional uses (including schools, religious institutions, and public parks). Home occupation uses should not detract from the underlying residential character of these neighborhoods.

This land use designation is the most prevalent and widespread throughout the Town of Smyrna. The most appropriate zoning for this designation is R-1, R-1A, R-2, R-2A, and MHP – Mobile Home Park.

### High-Density Residential

This land use designation consists of parcels already developed into single-family attached (townhouse) dwellings and/or multi-family (apartment) dwellings. The purpose of this land use designation is to provide smaller and more affordable housing choice, especially to single-person households, young families, and older empty nesters. These areas were developed primarily since 1970, and often as part of a larger development project. Many early townhouse and apartment projects were developed in a 'garden style' suburban arrangement with a small number of relatively large buildings clustered around parking areas and open space. While no additional vacant High-Density Residential areas have been designated under this Comprehensive Plan Update, existing multi-family projects under single ownership may be re-developed in the coming decade. It is the intent of this designation that new multi-family and attached housing projects be developed in a generally grid street framework with buildings constructed close to the street (with parking to the rear or side) so as to emulate the traditional feel of a downtown residential neighborhood. Additionally, new multi-family buildings should be appropriately scaled so as to emulate the larger single-family dwellings and mixed-use buildings in the historic downtown. New multi-family and attached housing projects should include attractive landscaping and streetscaping features, active and passive open space areas, along with pedestrian and street connections to nearby shopping and recreational areas.

The gross density for high density residential areas shall not exceed twelve (12) dwelling units per acre. Density bonuses may be provided within this land use category, but the gross density may not exceed twenty (20) dwelling units per acre. High density residential areas should be within walking distance to nearby commercial services wherever possible. Schools, religious institutions, public parks, and shopping centers should be located within close proximity to these high-density residential areas. Smaller neighborhood-type commercial uses and offices are encouraged to be constructed within high density residential properties and projects so long as they are appropriately located and scaled. Additionally, while it is envisioned that most new high-density residential projects developed under this land use designation will consist of attached dwellings and multi-family dwellings, single-family detached dwellings and duplex/twin dwellings are also permitted and encouraged on generally smaller lots to add architectural and housing variety to an area or project. The most appropriate zoning for this designation is R-2A and R-3.

### Downtown Residential

This land use designation, new to the 2020 Comprehensive Plan Update, includes those downtown residential neighborhoods within the historic core of Smyrna constructed and built-out prior to 1960. It also includes those previously unincorporated residential neighborhoods within Spruance City (some of which are still outside of the municipal boundaries of Smyrna), which were likewise developed in a traditional grid-like street pattern on smaller lots in the first half of the 20<sup>th</sup> century. These older residential neighborhoods are located immediately adjacent to the downtown commercial district (designated 'Downtown Mixed-Use' by this and previous Comprehensive Plans), and whose lots are laid out in a generally grid-like street pattern. Lots are generally narrow and rectangular, small in size (less than ¼-acre), and whose dwellings are

constructed close to the street and sidewalk. Many of these residential neighborhoods are served by rear access alleys, while some lots are served by narrow driveways to the side of said dwellings. These historic downtown neighborhoods consist primarily of single-family detached dwellings and duplex/twin dwelling units, and a small number of interspersed dwellings that have been converted to apartments. New construction in these areas should be limited to these housing types. A limited number and type of small offices and home-based businesses are appropriate to be located in these neighborhoods.

Most of these residential neighborhoods are located within both the Smyrna National Register Historic District and the locally designated Historic Overlay District. Dwellings in these neighborhoods vary significantly in size, configuration, architectural style, and date of construction, which together form a rich historic fabric. The Town strongly encourages the renovation of these historic dwellings through the locally-funded façade improvement grant program, the State and Federal Historic Preservation Tax Credit programs, and the Delaware Downtown Development District grant program. New dwellings constructed in these neighborhoods should complement and mimic the historic character of the community by being constructed close to street with rear access or side access garages. Large front-loaded garages are discouraged.

This land use designation will be served by a new Downtown Residential zoning district, which will be created following the adoption of the 2019 Comprehensive Plan Update.

#### Planned Village Community

This land use designation includes a collection of large vacant parcels north of Duck Creek within the existing municipal boundaries of Smyrna. This designation stemmed from a conditional use option permitted in all residential zoning districts since 2013. The purpose of this land use designation is to recreate traditional downtown neighborhoods on large vacant parcels of land. Mimicking a traditional downtown residential neighborhood, new projects constructed under this designation should provide of mix of housing types (single-family detached dwellings, duplex/twin dwellings, townhouses, and multi-family dwellings, etc.), dwelling sizes, and lot sizes. Dwellings, multi-family buildings, and mixed-use buildings should be constructed close to the street. Rear access alleys are encouraged for single-family detached dwellings and duplex/twin dwellings, and shall be required for attached (townhouse) dwelling units. Multi-family buildings should be appropriately sized to mimic larger homes or mixed-use buildings in the historic downtown, and should be served by rear accessed garages or alleys. Parking lots and areas should be constructed to the rear (preferred) or side of mixed-use and multi-family buildings.

Projects constructed under this designation should generally contain a grid-like street network, and avoid dead-end cul-de-sacs to the greatest extent practicable. The design of said projects should promote an interconnected street and sidewalk network to allow for both enhanced vehicular traffic flow and pedestrian circulation. The streetscape should be enhanced with street trees, streetlamps, landscaping, appropriately-sized sidewalks, front porches, stoops, and other front yard amenities.

Projects constructed under this designation should provide active and passive open space and recreational areas. Greens, squares, fountains, plazas, and parks should be constructed and located as centerpieces of said projects to provide vistas and overlooks for residences and buildings in said projects. Before-mentioned greens, squares, plazas, and parks should be adorned with pedestrian seating, benches, gazebos, pavilions, pergolas, fountains and/or civic art to promote active use of said public open spaces.

Appropriately scaled mixed-use, office, and commercial buildings are encouraged to be constructed as part of projects in this designation to serve the needs of neighborhood residents. Schools, religious institutions, and other civic buildings are encouraged to be constructed and located in Planned Village Communities.

Developers are strongly encouraged to partner and coordinate with the Town of Smyrna, local, county, and state agencies and approval authorities in a collaborative master planning process for the extension and upgrade of public utilities and infrastructure to serve said Planned Village Communities projects.

This land use designation will be served by one or more new Planned Village Community zoning district(s), which will be created following the adoption of the 2020 Comprehensive Plan Update.

## **2. Commercial Land Use**

The commercial development of Smyrna has included a full range of uses, from small, neighborhood stores to regional distribution centers. The commercial use element of the Land Use Plan is divided into four land use categories: Downtown Mixed Use and Commercial Use, Corridor Commercial Use, and Transitional Corridor Use. Each of these has a unique character from the other and is intended to fulfill different, although somewhat overlapping, functions.

### **Downtown Mixed-Use**

The Downtown Mixed-Use land use area consists of the historic commercial core of Smyrna radiating outward along Main Street and Commerce Street from the original “four corners.” This area consists of a variety of predominately two- and three-story mixed-use buildings, commercial buildings, historic residences, civic buildings, and public spaces constructed close to the street. The relatively small size of lots, existing improvements and close proximity of the structures, and variable uses all combine to create the need for a flexible use area with only minimal bulk, parking and other standards. General business uses of a community-wide nature, professional offices, government offices, business services, limited retail uses and medium and higher density residential uses are planned for new and redevelopment sites in the Downtown Mixed-Use area.

The purpose of the Downtown Mixed-Use area is to promote development of a compact, pedestrian-oriented town center, consisting of a diverse mix of residential, business, commercial, office, institutional, educational and cultural and entertainment activities for workers, visitors,



and residents. By accommodating mixed-use buildings serving retail, service and other uses on the ground floor and residential units above the nonresidential space; allowing for commercial use of a scale and intensity compatible with adjacent residential neighborhoods; permitting for the development of exclusively residential buildings of a scale and intensity compatible with the Town's traditional neighborhood design; allowing residential zoning to promote the preservation of historic residential buildings; encouraging development that exhibits the physical design characteristics of pedestrian-oriented, storefront style shopping streets; and providing flexibility for adaptive re-use of old buildings in the area will create a sense of place that represents Smyrna as a unique, attractive and memorable destination for both visitors and residents alike.

The Downtown Mixed-Use area contains the most architecturally and historically significant structures of pre-20th century Smyrna, and is intended to be preserved and improved by a mixture of both commercial and residential uses. This mix of use, including residential uses in the rear of storefronts, on upper floors, and in properties fronting on feeder streets, will foster an appreciation of the special character and sense of place in the historic downtown core. Zoning regulations for this district should encourage mixed-use development, development of sensitively designed parking facilities, and careful control of signage and alterations to the front and visible sides of historic buildings. On the major streets extending from this district, carefully reviewed and implemented conversions of residential structures to small professional offices and distinctive small shops may also be considered. New mixed-use buildings, commercial/office buildings, and residences should be appropriately scaled, and complement the historic fabric of the Downtown Mixed-Use Area. Parking should be located to the rear of buildings to the greatest extent possible, shared between uses and buildings, and/or provided in centrally-located public lots.

The utilization of special features (street furniture, signage, lighting, surfaces, and informational materials) by the Town to celebrate the architectural significance of the downtown district and its most significant individual structures should also be undertaken.

The Downtown Mixed-Use area is located entirely within both the Smyrna National Register Historic District and the locally designated Historic Overlay District. The Town strongly encourages the renovation and adaptive re-use of these historic buildings and dwellings through the locally-funded façade improvement grant program, the State and Federal Historic Preservation Tax Credit programs, and the Delaware Downtown Development District rebate program. Special attention should be given towards the renovation of vacant 2<sup>nd</sup> and 3<sup>rd</sup> floor space in buildings downtown into apartment dwelling units.

The most appropriate zoning for this land use designation is CC - Central Commercial.

### Commercial Use

This designation predominately consists of existing suburban commercial buildings and shopping centers along Glenwood Avenue and behind (but not fronting) Route 13. This plan recommends that new commercial areas be developed in coordinated groupings or clusters of commercial

buildings with common access from the highway and/or arterial streets, preferably feeding parking areas from the side or rear to limit the number of curb cuts and thereby reduce traffic safety hazards. In parts of this land use area are existing residential structures, which should be allowed to convert to commercial uses under design guidelines which would buffer adjacent residential uses from parking and loading uses while preserving the residential character of the buildings and the site as a transition from the highway into adjacent residential subdivisions.

Commercial uses should be managed in a manner consistent with the Town's desire to improve the appearance, functionality, and safety of Glenwood Avenue, Route 13, and other roadways and streets within Smyrna. Sidewalks and lighting should be constructed to provide pedestrian connectivity between commercial areas and adjacent residential neighborhoods. Landscaping should be provided to form a more attractive streetscape, while vegetative buffers and fences should be constructed to buffer commercial areas from adjacent residential neighborhoods.

The most appropriate zoning for this land use designation is HC – Highway Commercial, LC – Local Commercial, and SC – Shopping Center.

#### Corridor Commercial

This land use designation builds upon the 2012 'Smyrna U.S. 13 Corridor Plan and Design Book' which was formally adopted by the Smyrna Town Council as a Comprehensive Plan Amendment in June 2013. This Plan was based upon numerous stakeholder and public outreach meetings, a formal multi-day design charrette, and extensive public surveys. The overarching goal coming out of this Plan was to transform and beautify the existing low-density suburban commercial Route 13 corridor into a higher density mixed-use and aesthetically pleasing streetscape; in a sense transforming Route 13 as an alternate 'Main Street' for Smyrna. Originally, the 2012 Plan divided Route 13 into four sections: Northern, Central, Southern, and Transitional, and recommended separate zoning districts for each section. However, recognizing that few differences exist in the implementation strategies to transform each section of the Route 13 Corridor, the 2020 Comprehensive Plan Update combines all four sections into one land use designation.

New development along the Route 13 corridor is encouraged to contain a mix of retail, restaurants, office, and other commercial uses with residential dwelling units both above (on the 2<sup>nd</sup> and 3<sup>rd</sup> stories) and behind. The construction of multi-story and mixed-use buildings is strongly encouraged, and said buildings will be required to be constructed close to Route 13 (and internal subdivision streets) so as to emulate the streetscape of the historic downtown commercial district. Wide sidewalks will be constructed along with pedestrian scaled lighting and landscaping so as to promote pedestrian connectivity and to create an attractive streetscape along Route 13. New parking areas will be located to the rear (preferred) or to the side of buildings and will be appropriately screened from the roadway. New signage should be appropriately scaled and constructed at lower heights to reflect the lower vehicular speeds along Route 13 within the municipal boundaries of Smyrna. Buildings shall provide diversity and variation in façade type, width, and roof heights and types to reinforce the character of the streetscape by encouraging visual interest along the ground level of buildings. Appropriately

scaled open space, greens, pocket parks, and plazas should be provided and integrated into the overall site design to enhance the overall attractiveness of the corridor, and to activate pedestrian activity along the streetscape.

Provisions should be made in the zoning ordinance to allow for the repair, maintenance, renovation, and minor expansion of existing non-conforming businesses and structures along the Route 13 corridor.

It is envisioned that the redevelopment and transformation of Route 13 will take place gradually over 10-20 years. Outside of the Planned Village Community areas, the Corridor Commercial areas along Route 13 will likely provide the greatest opportunity for new commercial and residential growth within Smyrna in the ensuing decade.

This land use designation will be served by a new Corridor Commercial zoning district, which will be created following the adoption of the 2020 Comprehensive Plan Update by consolidating the existing 'North Corridor Zoning District' and the 'South Corridor Zoning District.'

#### Transitional Corridor

These areas consist primarily of aging strip commercial areas and shopping centers in the central portion of the Route 13 corridor. The purpose of this designation is to permit these large pre-existing suburban shopping centers to continue as before, but to allow flexibility for property owners and developers to voluntarily transition and take advantage of the higher densities permitted under the Corridor Commercial land use designation. Until such time as they voluntarily transition to Corridor Commercial through the rezoning process, these areas shall be governed by the standards and intent laid out in the Commercial land use area section.

Those parcels and areas in the Transitional Corridor Commercial will retain their underlying HC-Highway Commercial or SC-Shopping Center zoning, but will have the ability to apply for a rezoning to Corridor Commercial to permit a higher density, greater mix of uses, and the incorporation of residential dwellings units into the projects.

### **3. Institutional Land Use**

This plan generally limits major governmental and institutional uses to their current sites, many of which have significant additional developable land in Smyrna. The exceptions to this pattern may be consolidation and relocation of the town's public safety and utility facilities to a new and more appropriate site, and the introduction of new religious facilities or fraternal organizations which may be appropriate in commercial or residential areas but should be subjected to special review on a case-by-case basis. The development and location of town facilities, fire services, schools, and recreational facilities are addressed in the Community Facilities Plan.

The appropriate zoning for the Institutional land use designation is I & R – Institutional and Recreational District.

#### **4. Employment Center Land Use**

A major policy goal of the comprehensive plan, as further developed in the Economic Development Plan, is to increase employment opportunities within Smyrna, and to expand the Town's tax base. The Town intends to do this by attracting new light industrial and other clean business uses. In 1995, the Town annexed and subsequently acquired approximately 95 acres of property along Route 300 and the railroad on the west side of town to create the Smyrna Business Park. With the creation of this business park, the Town also created the IORP – Industrial/Office/Research Park Zoning District to supplement (and partially replace) the existing and outdated M – Manufacturing Zoning District. This business park has since almost entirely built out with a combination of warehouse, construction, service, government, and public utility uses and businesses. This was followed in 2005 with the construction of the approximately 1.1 million square foot Walmart Distribution Center on the adjacent 190-acre parcel fronting Route 300. In the late 2000's, Bayhealth constructed an emergency room at the intersection of Carter Road and Route 300, which was quickly followed by the construction and attraction of complimentary medical offices and uses directly adjacent.

Beginning in 2003, the Town annexed a total of 212 acres north of Duck Creek, owned and managed by the KRM Development Corporation, and which is located between US Route 13 and Delaware Route 1. This land was first identified in the 2002 Smyrna Comprehensive Plan for annexation and development as an employment center use and business park. This land was subsequently subdivided into a 30-lot business park in 2014. Water, sewer, and road infrastructure was constructed to the business park in 2019, and it is anticipated that the first flex warehouse/office/light manufacturing building will begin construction in late 2020. The Duck Creek Business Campus represents the largest vacant area of IORP-zoned land in Smyrna, and upon buildout will generate an estimated 4,000 new jobs (dependent upon the individual uses and businesses that locate in said business park). Given its size, it is anticipated that the Duck Creek Business Campus will likely absorb the overwhelming majority of all new business and employment growth in Smyrna over an estimated 20+ year build-out.

Lastly, a small number of pre-existing and historic manufacturing sites have been grandfathered, and identified under this Plan for continued employment center use. The largest of these sites includes the former Harris Manufacturing facility along Glenwood Avenue, which has been slated for redevelopment.

With the long-term buildout of the Duck Creek Business Campus, this Plan does not identify any additional areas and properties for Employment Center Use either within the existing municipal boundaries or in the annexation area.

The Employment Center land use designation will be served primarily by the IORP – Industrial/Office/Research Park zoning designation, although a very small number of pre-existing sites will retain their M – Manufacturing, LM – Limited Manufacturing, and LO – Limited Office zoning designations.

## **5. Open Space/Recreation/Historic Land Use**

Open Space/Recreation/Historic Land Uses promote the preservation of desirable areas of open space, woodlands, waterways and publicly owned historic resources. The preservation of these areas will assist in the preparation of a coordinated, town-wide network, linking natural environmental and historic amenities with active and passive open space and recreation areas, commercial and community land uses and residential neighborhoods, promoting walkability and interconnectivity of adjacent uses.

The appropriate zoning for this land use designation is A – Agriculture or I & R -Institutional & Recreational Districts.

## **SECTION 2 - GROWTH AND ANNEXATION PLAN**

Smyrna's annexation plan recognizes the importance of coordination with the Town of Clayton, New Castle and Kent Counties, and the State of Delaware in planning for this growing region of the state. It also recognizes the importance of good design, efficient land use patterns, and orderly growth in achieving the shared goals of the region.

The annexation plan represents Smyrna's long-term interest in growth in its environs. It is the area over which Smyrna seeks to influence future development. The Town feels strongly that if areas that are geographically, functionally and culturally part of the Smyrna-Clayton community are to be developed they should be an integral part of our community.

### Annexation History

Smyrna's municipal boundary has grown significantly from the original one square mile (640 acres) boundary, which was in place from 1855 to 1961. A complete history of annexations since 1960 is included in the Appendix D, Figure 5. From 1961 to 1967, the municipal boundaries and area of Smyrna more than doubled with the annexation of seven parcels encompassing 759 acres. This included the 71-acre Delaware Home and Hospital in 1961, the 137-acre Cottage Dale Acres subdivision in 1963, the 155-acre Ennis/Stokesbury tracts (eventually developed into Green Meadows and Woodland Manor), and the 320-acre Johnson Farm which would eventually include the Smyrna High School and Middle School, along with the Glenwood, Eagle Chase, and Schoolhouse Village residential subdivisions.

In 1987, two parcels were annexed. One was a small residential area bounded by Commerce, Main, Howard and Upham Streets. The other was the property known as the Mitchell Farm, a 337-acre parcel located at the southern edge of town. The Mitchell farm has subsequently been approved for a variety of residential uses, commercial and industrial/office uses. It presently includes the Sunnyside Village and Bon Ayre developments. The former has built out while the later development is approximately 53% complete.

In 1988, Smyrna annexed fourteen acres along U.S. 13 which was formally was home to General Clothing and later Harris Manufacturing. Two other blocks were annexed in 1989: one bounded by Howard and Mt. Vernon Streets and Smyrna-Clayton Boulevard; and another block bounded by Howard, Commerce, Lexington and Upham Streets. Both are zoned for residential uses.

Three parcels on the southwest corner of U.S. 13 and Belmont Avenue were annexed in 1990 and are now used for doctor's offices. A 22-acre parcel was also annexed in 1990. Three small residential annexations took place in 1991.

With the construction of DE Route 1 underway in Smyrna beginning in the 1990's, annexation and development rapidly expanded and mushroomed. In 1995, the 290-acre Brown Farm was annexed, one parcel of which is presently the Smyrna Business Park (previously named the

Smyrna Industrial/Office/Research Park). The remaining parcels were developed in 2005 into the Walmart Distribution Center. In 1995, four other parcels totaling 25.7 acres were added.

In 1996, two significant annexations occurred: 35 acres now used for the Gateway North Shopping Center, and 82.18 acres (six parcels including the lands now occupied by the Bombay Woods subdivision) and areas zoned for commercial uses. In 1997, the Staats propane gas storage and distribution facility at Routes 6 and 300 was annexed along with 2.94 acres west of Route 13. In 1999, a 23,200 square foot vacant lot along Route 13, zoned for highway commercial uses, was annexed. The 190.3-acre Blendt Farm was annexed for education purposes in 2000. It is being used by Delaware State University- as an agricultural research farm and has been subsequently protected by a conservation easement through the Delaware Agricultural Lands Foundation (the only such property within the Smyrna municipal boundaries). Also annexed in 2000 was the 51.9-acre Wick Farm located west of town and fronting on Sunnyside Road. The Wicks Farm was subsequently approved as the Ashland residential subdivision in 2018, and is 32% complete as of the adoption of this Plan.

Between 2000 and 2007, Smyrna's land area and municipal boundary nearly doubled again with a surge of 57 approved annexations (representing 1,441.45 acres) in a space of only eight years. The largest of these annexations were properties north of Duck Creek east and west of US 13, including over 212 acres that would eventually encompass the Duck Creek Business Campus, a 28-acre parcel owned by the town that is currently used as a landfill site but planned for future open space, and three parcels comprising over 296 acres designated for a variety of residential uses (formally approved as the Watson Farm subdivision). South of Lake Como, approximately 456 acres were annexed for residential development. These parcels (along Rabbit Chase Road and Brenford Road) were all subsequently subdivided into the Hickory Hollow, Worthington, Centreville/Graceville, Brenford Station II, and Bergmont Woods residential subdivisions. These five residential subdivisions obtained approvals for 1,461 dwelling units, although as of the date of this Plan, only 611 dwelling units have been constructed. Other smaller parcels were annexed filling in enclaves along US 13 south of Lake Como consisting of commercial uses and existing developed parcels within Spruance City (both areas consistent with the comprehensive plan for annexation).

Since 2008, 35 parcels (totaling 183.106 acres) have been annexed into the municipal boundaries of Smyrna; the overwhelming majority of which were small developed lots and parcels in enclaves within Spruance City or along US Route 13. The only large parcels annexed have been for government or institutional use. This included the state-owned 30.5-acre Belmont Hall property, the state-owned 19.29-acre property known as 'The Lindens,' and the state-owned 88.21-acre Smyrna Rest Area. In addition, the 11.19-acre site of the former Harris Manufacturing plant and facility was also annexed in this period. Importantly, no large vacant tracts for future residential or commercial development were annexed after 2007.

### Potential for Growth

Smyrna's population increased steadily over time at a rate of about 1% growth per year from 1950 to 2000, although that rate exploded between 2000 and 2010 (average 4.33% annual

growth rate) coinciding with the opening of DE Route 1 to the north and the national housing boom. In addition, significant upgrades were completed to Kent County's regional sewer system (which connects and provides service to Smyrna), which greatly increased overall capacity and enabled significant new growth to occur on sewer throughout the County. While Smyrna's growth rate trailed that of Delaware's and Kent County's between 1950 and 2000, Smyrna's growth rate (and annexation acreage) was among the highest in Delaware throughout the 2000's.

Between 2000 and 2012, 29 major residential subdivisions and projects were approved within Smyrna totaling 5,236 dwelling units. The economic downturn in the late 2000's halted the annexation and development of new large-scale residential projects throughout the 2010's, but the construction of new single-family dwellings, duplexes, townhouses, and apartment dwelling units on the before-mentioned previously recorded subdivisions continued at a slower albeit steady pace (100 or more new housing starts per year) throughout this time period. Since 2000, 2,652 dwelling units have been constructed or are presently under construction. Two large residential subdivisions (Watson Farm & Duck Creek Crossing) totaling 863 dwelling units have since expired, but 1,712 residential building lots are vested, and are available for immediate development. Smyrna's favorable location along DE Route 1 within acceptable commuting distance of large employment centers coupled with reasonable taxes and property costs makes the area very attractive to both skilled employees and new residents alike.

With the creation of the 'Planned Village Community' conditional use option in 2015 (and subsequent in 2020), the Town has partnered with the developers for both the Watson Farm (expired) and Graceville (not yet started) subdivisions to explore the wholesale redesign and re-subdivision of said projects. This ongoing master planning effort (expected to take at least one year) will involve numerous state and local agencies, and will likely result in a higher density and greater mix of housing types. These two large-scale subdivisions will likely represent the most significant new residential projects over the next ten years, although the buildout may take longer.

To service the growing number of residential subdivisions and new Smyrna residents south of Lake Como, the Simon's Corner Shopping Center and the Gateway North Shopping Center began construction in the early 2000's. These suburban-style shopping centers have only been partially completed as of 2020. In 2012-2013, the Town (in coordination with the Dover/Kent MPO and other State agencies) completed the US Route 13 Corridor Plan and Design, which called for the redevelopment of the existing suburban commercial corridor into a higher-density mixed-use corridor. This was quickly followed by the adoption of the North Corridor and South Corridor Zoning Districts in 2014-2015, although a comprehensive re-zoning was not completed as outlined in the 2012 Corridor Plan (formally adopted as a Comprehensive Plan Amendment in 2013). The first mixed-use project developed under these zoning standards was approved in 2019, and will include 12,000 sq. ft. of 1<sup>st</sup> floor commercial/retail space and 48 apartment dwelling units (on the 2<sup>nd</sup> and 3<sup>rd</sup> floor of the mixed-use buildings and in a stand-alone apartment building to the rear). Over the next 10-20 years, most of the new commercial, office, and high-density residential development within Smyrna will likely occur as existing vacant or low-density commercial properties along US Route 13 are gradually redeveloped. In particular, the



preponderance of the new mixed-use development is expected to occur: (1.) as part of Phase II of the Simon's Shopping Center, (2.) on the approximately 45 acres of vacant lands at the intersection of Carter Road and US Route 13, and (3.) at the intersection of Paddock Road and US Route 13 north of Duck Creek.

Since the creation of the Delaware Agricultural Land Preservation Foundation in 1991, the State has purchased permanent conservation easements on 10 parcels (totaling 1,084.85 acres) that directly border Smyrna's municipal boundary, while an additional 5 parcels (totaling 367.8 acres) on the Town's municipal border have enrolled in 10-year Agricultural Preservation Districts. This includes the 191.66-acre Blendt Farm, owned by Delaware State University as an agricultural research farm, which is actually located within the Town's municipal boundaries and protected by a permanent agricultural easement. In addition, dozens of additional state-protected properties are located immediately beyond the municipal boundaries of Smyrna. In short, almost all of the parcels east of DE Route 1 and to the southwest of Smyrna (along Sunnyside Road) have been permanently protected (or are designated for future protection) by the Delaware Agricultural Land Preservation Foundation.

Beginning in the early 2000's, numerous farms south of Smyrna along and west of US Route 13 were subdivided for residential and commercial development under the auspices and control of Kent County Levy Court. This includes the developments of Willowwood and Brenford Station along Brenford Road and Burtonwood Village along US Route 13. These developments tied directly into the Kent County sewer system, and obtained water service through the County's franchise agreements with Tidewater Utilities and Artesian Water. The pre-emptive development and build-out of these residential subdivisions under County control along Smyrna's southern border makes further large-scale municipal annexation to the south highly unlikely and limited to the smaller parcels directly fronting US Route 13 (especially since these subdivisions already have public/private water and sewer service).

The before-mentioned 30-lot Duck Creek Business Campus (annexed in 2003) obtained final approvals in 2014 and has since begun construction of the requisite road and utility infrastructure. This 212-acre business park is expected to absorb the preponderance of new employment-related growth to Smyrna over the next ten years.

#### Smyrna's Interests in Growth Beyond Its Borders

Development outside the Town's borders is highly relevant to Smyrna's comprehensive planning process because uses outside the town have economic and social impacts on the Town and the services that it must provide. Residential development outside the Town's boundaries can take place at relatively low densities as a matter of right under Kent and New Castle County's existing codes and ordinances. These residents benefit from and use municipal streets, recreation facilities and other services but do not contribute to their maintenance and expansion. This phenomenon has already occurred south of Brenford Road as three low-density suburban subdivisions have been approved and constructed on County sewer service, with private water service being provided.

Scattered development outside the town's boundaries generally sets the character of future development, sometimes making it difficult to integrate such areas into the community at a later date. Extension of utilities and other public services becomes inefficient and difficult to provide, as well.

Insensitive and inappropriate development at the entrances to the community often create a negative image for the community, giving visitors a bad impression and thwarting economic development initiatives.

Therefore, as with other municipalities, Smyrna has often considered annexation, regardless of its timeliness or impact on municipal services and plans, as a defensive action to ensure that future development is compatible with the Town's long-range plans and vision and its ability to efficiently provide public services.

From a positive perspective, identifying long range growth areas allows the Town to better plan its future, influence land use and infrastructure decisions by other jurisdictions, articulate its vision, and manage its physical, financial and infrastructure resources.

Given the before-mentioned wall of protected agricultural properties to the east of DE Route 1 and to the southwest along Sunnyside Road, and the presence of large low-density subdivisions south of Brenford Road, the Town of Smyrna is left with a relatively small and narrow field of potential properties to annex and expand along US Route 13 to the north and south. While additional unprotected/undeveloped parcels and areas remain near the Town's boundary north of Duck Creek, these areas are identified by the State and New Castle County for preservation. Additionally, these areas are zoned by New Castle County for very low-density development (1 dwelling unit per 5 acres), and without public sewer service, are unlikely to develop without annexation. The Town of Smyrna is thus better positioned to control the pace and character of new development north of Town than to the south where County sewer and private water services exist under permissive zoning standards.

#### Growth Planning Principles and Policies

Smyrna will seek to attract residential, commercial and business development that is compatible with the Town's heritage, character, goals and long-range plans; that supports the local economy; and that provides a wide range of housing, employment, cultural, and recreational opportunities to present and future residents. New growth through expansion of the town's boundary will be coordinated with county and state plans and strategies in order to create a proper balance between growth and the preservation of farmland and open spaces, ensure efficient use of resources, and provide maximum options for provision and funding of needed infrastructure. New development will be located and designed to integrate within the community, promote and enhance the community's character, and support the comprehensive plan's long-range goals. Annexation will be considered a tool to ensure good land use planning, help define the

boundaries of communities, and promote efficiencies in public services; not simply as a way for the Town to expand its borders.

### General Growth Strategies and Priorities

Since the adoption of the Smyrna 2002 Comprehensive Plan, the Town has actively annexed dozens of properties, doubling the physical boundaries of the Town in only ten years. However, the 2020 Comprehensive Plan identifies only two limited areas and types of properties for annexation: (1.) enclaves (completely or partially) surrounded by the municipal boundaries of Smyrna, and (2.) parcels located along US Route 13 (at the northern and southern fringes of Smyrna) that can be pre-emptively developed to provide an attractive gateway into Smyrna.

Properties that are fully or substantially surrounded by the Town of Smyrna, or jointly by Smyrna and Clayton, create operational and developmental obstacles and inefficiencies. These enclaves often receive or benefit from town services but pay no property taxes or fees to support the community. Often, as on-site water and wastewater systems fail, property owners seek annexation in order to obtain reliable public utilities. Unless there are unusual and substantial extenuating factors these properties should be annexed. The four principal enclaves targeted for annexation include: (1.) the area near the intersection of Paddock Road and US Route 13, (2.) Spruance City, (3.) the subdivisions of Colmar Manor and Cedarbrook along South Carter Road, and (4.) those existing residential and low-density commercial parcels along US Route 13 near in the vicinity of Smyrna-Leipsic Road.

Related to enclaves are a small number of individual parcels or clusters of properties on the outer periphery of the Town. These are typically individual lots developed on well and septic that are adjacent to and/or surrounded by the municipal boundaries of Smyrna. Properties adjacent to the town, whether developed or not, that would help to round out or rationalize the town's boundaries should also be considered on a case by case basis. Generally, these properties should be considered a priority for annexation if the expected service costs and other factors do not create an undue burden on the community.

The second group targeted for annexation are those parcels along US Route 13 at the northern and southern periphery of the Town. Since the adoption of the 2002 Smyrna Comprehensive Plan, the Town has intended to annex all of those parcels fronting US Route 13 south to Brenford Road, including the Holly Hill manufactured home community and the Burtonwood Village residential subdivision. This Plan identifies an additional six vacant or low-density commercial properties (totaling approximately 57 acres) on the western face of US Route 13 for annexation (south of Brenford Road) under the Corridor Commercial land use designation. This Plan also identifies an approximately 19-acre recorded (but not yet built) residential subdivision known as Big Oak on the south side of Brenford Road (immediately adjacent to the before-mentioned commercial areas) for annexation under the Neighborhood Residential land use designation. At the northern periphery, the Town's annexation area had previously (since the 2002 Smyrna Comprehensive Plan) been bounded by on the west by the Watson Farm (fronting Duck Creek Road and Clark Farm Road) and on the east by DE Route 1. This Plan identifies approximately 211

acres of existing residential development and low-density commercial uses east of US Route 13 north of the DE Route 1 interchange for annexation into Smyrna under the Corridor Commercial and Neighborhood Residential land use designations. The largest block of these developed lands includes those lots within the built-out subdivision of Village of Savannah. This Plan also includes the approximately 56 acres of land, owned by the State of Delaware as the State Police Firearms Range for annexation under the Institutional land use designation. Lastly, this Plan includes approximately 34 acres of vacant lands bounded to the south, east, and west by US Route 13 and DE Route 1 that have been identified for annexation under the Corridor Commercial land use designation. In short, this Plan identifies a small number of additional properties for annexation at the northern and southern periphery along US Route 13, which can be developed (or redeveloped) into an attractive gateway into Smyrna.

Annexation requests should be evaluated carefully against the potential economic benefit to the Town in terms of tax and other revenues, jobs, services or facilities expected; the desirability of controlling the type, intensity, and character of development in accordance with the Town's stated goals, plans, and ordinances, especially if development is imminent; the impact on the Town's services, facilities, utilities, and administrative staffs, and the extent to which such services will be provided by the developer or property owner; the timing of the development such that overall development and the provision of services occurs in a reasonable and orderly manner; and the property's location with respect to the Kent and New Castle County Comprehensive Plans' goals and the State of Delaware's Investment Strategies and Map (Appendix D, Figure 6).

#### Urban Growth Boundary and Greenbelt

New to the 2020 Comprehensive Plan, the Town seeks to create an urban growth boundary so as to create a distinct boundary between town and county. Furthermore, this Plan has identified ten large agricultural/open space parcels (totaling 1,084.85 acres) to be protected as a permanent 'green belt' outside the urban growth boundary (primarily north of Duck Creek). These greenbelt properties have been identified by this Plan for permanent protection by local, state, or federal sources, and are not planned for annexation into the Town of Smyrna. This will complement the de facto urban growth boundary of permanently protected properties east of DE Route 1 and in the southwest quadrant along Sunnyside Road (south of Lake Como). This new proposed 'green belt' includes 128-acres owned by members of the Lasana family who recently obtained state designation as an Agricultural Preservation District, but whose property had previously been identified (since the 2002 Smyrna Comprehensive Plan) for annexation as 'Low Density Residential.'

The Town will explore the creation of a municipal Transfer of Development Rights (TDR) program to purchase conservation easements for the permanent protection of the before-mentioned parcels identified within the before-mentioned green belt.

## Capacity and Phasing Considerations

The Town of Smyrna provides services to residents that have limited resources or capacities. All of these require long range planning to meet demands and develop the capacity to serve all users. In February 2021, the Town recently transitioned from utilizing a single third-party engineer (KCI Technologies) for all water and wastewater planning and development review, to contracting with two separate firms (Pennonni Associates and JMT) to design long-term planning and design of water and wastewater infrastructure in Smyrna. The following are the services that the Town must consider when discussing growth and annexation:

### **Wastewater**

One consideration relating to future annexation involves wastewater service. The Town of Smyrna is served by the Kent County regional wastewater system, as are some developed areas between Smyrna and Cheswold. The Town of Clayton is also served by this system (Clayton's sewage is pumped through the Town of Smyrna). Individual, on-site water and septic facilities serve other developed areas in both Kent and New Castle counties. Smyrna utilizes Segment 1 of the system that extends from Smyrna to pumping station #2 at Denny's Road, north of Dover. This segment was upgraded in 1996-97 and includes both 24 and 30-inch diameter force mains. The Kent County system also serves the Delaware Correctional Center, DEMA and the Rest Area north of Town in New Castle County, whose sewage is also pumped through the Town's system.

Kent County's wastewater treatment facility is currently permitted at 20.0 million gallons per day (mgd) with an average flow of about 13.5 mgd (per the Kent County Wastewater Master Plan). Over the next 30 years, 22,600 households are estimated to enter Kent County's system based on the Delaware Population Consortium, creating an additional 4.5 million gallons of wastewater per day. If that estimate is correct, the projected flow of wastewater sent to the County system in 2050 would be approximately 18 million gallons, still well below the currently permitted 20 million gallons per day. Due to the ample plant capacity, the County expects future improvements to the system to be associated with environmental standards rather than increasing capacity.

Planned improvements to the Kent County system, which will impact the Town of Smyrna directly, include the collection system improvements to Pump Station 1. The current Kent County plan is to expand the wet well and upgrade the screening for the station, which will help improve the overall capacity and performance. Pumping Station 1 in Smyrna as part of Kent County Segment 1 has a design flow capacity that is expected to be more than adequate once the upgrades are completed. The County's wastewater plan also envisions the addition of appropriate pumping stations south of Smyrna to accommodate development in the county-designated growth area. Therefore, wastewater capacity should not be a problem for future growth, although investment by the town in additional wastewater facilities (pumping station and collection system) may be required north of Duck Creek to service that area as it is annexed. In preparation for the future development of annexed areas north of Duck Creek, the Town has begun the work of extending the wastewater system north. In 2015, construction of a pump

station on Route 13 just north of Duck Creek was completed. The new pump station conveys sewage flows south into the Town, ultimately flowing into Kent County's wastewater treatment plant in Frederica. Following the construction of the pump station, the previously planned acquisition of the existing DelDOT Rest Stop pumping station was abandoned. In 2018, the state-managed Smyrna Rest Stop was connected into Smyrna's wastewater system by constructing a gravity sewer main from the Rest Stop to the newly constructed pump station on Route 13 (north of Duck Creek). In total, over 1.5 miles of sewer mains were constructed on the eastern side of Route 13 between the pump station and the Smyrna Rest Stop throughout the sewer extension project. This extension also acts as a main service line for development east of Route 13 in the area, including the major commercial development planned at the 212-acre Duck Creek Business Campus.

In response to the expected growth throughout the town, there are various plans in place to bring service to future developments and annexed areas. For the areas north of Duck Creek, there are preliminary plans to construct additional sewer infrastructure along Joe Goldsborough Rd, Duck Creek Rd, and Route 13 to create a trunk line that connects a large area on the western side of Route 13 into the existing Town wastewater infrastructure. This line would act as the main service line for the expected mixed-use development in the area. In the other areas of Town, there are planned sewer extensions to serve residents along Sunnyside Road, in Spruance City, and in Smyrna Landing to provide centralized service to surrounding areas. The Town also has plans to upgrade existing pump stations as capacity demands increase.

## **Water**

Another consideration relating to future annexation and growth involves water service. The Town of Smyrna owns, operates, and maintains its own water utility including production wells, treatment facilities and distribution systems (Appendix D, Figure 9). The system includes three wells with a maximum combined production capacity of 3,100 gallons per minute, and 1,400,000 gallons of overhead water storage. The Town applied for a new water allocation permit and is currently discussing the final allocation with DNREC. The Town currently experiences an average daily drinking water demand of 1.2 MGD and is allocated 1.8 MGD per day. In order to adequately serve the anticipated growth, the Town requested an allocation of 2.7 MGD per day. This would provide ample peak demand capacity for the estimated average demand of 1.8 MGD.

The Town works to provide water services for most new developments and annexed lands, but currently there are other water providers being used in some areas. To the south of the Town, numerous farms were subdivided for residential and commercial development in the early 2000's. These new residential developments, named Willowood and Brenford Station located on Brenford Road and Burtonwood Village along US Route 13, obtained their water service through Tidewater Utilities and Artesian Water. Other residents outside the town in Kent and New Castle Counties are mostly served by individual wells, except for a few Town of Smyrna customers who are outside the current Town limits.

In 2018, in preparation for the anticipated growth north of Duck Creek in annexed lands, the water infrastructure was extended north along Route 13. Through 2019, approximately 2 new miles of water mains were constructed in this area to serve the needs of future commercial and residential developments. The water mains currently run as far north as the Smyrna Rest Stop and as far east as the Duck Creek Business Campus. Future plans include continuing the expansion of the water system in the north and constructing additional overhead water storage capacity there as well. Currently, there are preliminary plans to construct a 750,000-gallon water tower on a newly acquired Town parcel next to the Smyrna Rest Stop on Route 13. Additionally, the Town plans to construct a water loop running alongside the proposed sewer alignment on Joe Goldsborough Rd., Duck Creek Rd., and Route 13 to serve the future development in that area. This loop would act as the main trunk line, but additional service lines and features may need to be installed as development occurs.

As the population continues to grow, additional source water will be required. The Town has plans to construct a new well and well house treatment facility. Preliminary engineering has been completed for the new well and indicates that the well should be located in the southern portion of Town. With the planned improvements water supply will continue to be adequate to provide fire protection throughout the Town in accordance with the Delaware State Fire Prevention Regulations.

## **Electric**

The Town of Smyrna owns, operates, and maintains its own electric system and is a partner with other municipalities through the Delaware Municipal Electric Corporation in the ownership of an electric generation facility located in Smyrna's Business Park. Electric service is provided throughout the Town. Most areas outside the town are served by either the Delaware Electric Cooperative or Delaware Power & Light. Electric capacity is adequate for all anticipated growth, although service area arrangements will need to be reached with other electric providers for extension of services into any newly annexed areas. A long-range electric system plan has been completed to guide extension of this important utility. As proposed in the previous plan, the Town's electric system was upgraded to include a new substation. The Town utilizes a third-party electrical engineer, Tangibl Group, Inc., out of Radnor, PA who since 2019 has been working with the Town on its long-range plans and day-to-day operations.

## **Other Planning Considerations**

Broader community needs must be considered as the Town expands its boundaries. Among these is reservation of land for educational uses when required by the Smyrna School District, whose enrollment has nearly doubled since 2002. The Smyrna School District currently operates six schools (along with district offices and central plant) within the municipal boundaries of Smyrna, while another two schools are located in neighboring Clayton. A new middle school opened in 2004 (adjacent to the existing high school) while land was acquired as part of the Graceville/Centreville subdivision process along Rabbit Chase Road for Sunnyside Elementary School (opened in 2008). The Smyrna School District has an immediate and pressing need for an

additional elementary school and intermediate school. Since late 2019, Smyrna town staff have coordinated with the Smyrna School District to identify potential school sites within the existing municipal boundaries, particularly as part of the re-subdivision of the Watson Farm and Graceville projects. Up to three schools may be provided and constructed with the re-subdivision of these two residential projects.

The Town of Smyrna owns and operates numerous recreational facilities including the George C. Wright Municipal Park, Green Meadows Park, Sunnyside Park, and the public beach, landing, and park on south shore of Lake Como. Kent County Levy Court developed and dedicated the 88.5-acre Big Oak Regional Park on September 30, 2006, which is located east of DE Route 1, and immediately adjacent to the municipal boundaries of Smyrna. Serving the residents of northern Kent County and the greater Smyrna area, this regional park features three softball fields, playgrounds, a large picnic pavilion, and public restrooms. The Delaware Division of Historical & Cultural Affairs likewise owns and manages the 30-acre Belmont Hall (in coordination with the Friends of Belmont Hall since 2009), and the 19-acre Lindens historic property. The Division of Historical & Cultural Affairs has expressed interest in transferring The Lindens to the Town of Smyrna subject to the approval of an agreement to provide public access and activities, potentially with a third-party non-profit organization. Lastly, the Greater Smyrna-Clayton Boys and Girls Club leases the former National Guard Armory on East Commerce Street, which is now owned by the Town. The Town of Smyrna seeks to partner with developers, both New Castle County and Kent County, and the State of Delaware to acquire additional parkland, bike/pedestrian trails, and recreational facilities and fields to serve the residents of the Town of Smyrna and the greater Smyrna-Clayton area in general.

Finally, although the current system of roads and streets is generally adequate, significantly increased development will impact many existing collector streets and minor arterials. Continued coordination with DelDOT as growth occurs will be essential to ensure that appropriate improvements are made to existing roads as necessary, that new roads and streets are added to accommodate growth, that non-vehicular and transit options are provided, and that the potentially conflicting functional requirements of individual road components are resolved. (See the Transportation Plan, Appendix D, Figure 10)

#### Consistency with State Strategies and County Plans

In 1999, the State approved a set of growth strategies intended to direct future state infrastructure investments and to provide guidance to county and local governments regarding state review and consideration of their planning and land use control efforts. The towns of Smyrna and Clayton were designated as Community investment areas on the state's 1999 State Strategy Map. The State Strategy Map was updated in 2010, 2012, and 2016. On July 23, 2020, former Governor John Carney approved the 2020 Delaware Strategies for State Policies and Spending by Executive Order 42, which remains in effect to the present day. Almost all of the lands within the existing municipal boundaries of Smyrna were designated as Investment Level 1, generally depicting areas with adequate infrastructure, compact development, an array of services, a variety of housing options, and a human, walkable scale.



The 2010 State Strategies Map previously designated the area north of Duck Creek as an Area of Dispute, because at the time the strategies were updated, legal issues involving Smyrna's growth to the north and the town's authority to provide sewer services were unresolved. A Superior Court ruling in January 2005 determined that the town had the authority to provide sewer services within its boundaries wherever those boundaries extended, and that the town could properly contract with Kent County to treat sewage for the entire jurisdiction.

Subsequently, the State, New Castle County and the Town engaged in negotiations to resolve the outstanding issues in order to allow the state to certify the plan north of Duck Creek and to permit growth as outlined in the town's plan. Generally, the agreement provided that the growth area initially set forth in the plan adopted in February 2003 was acceptable and that the Town would not seek to grow beyond that area until at least 2012. Additionally, the Town committed to working with the State to encourage good community design, to work with the State and New Castle County to create a green buffer around the growth zone, to develop and adopt source water protection regulations (adopted in 2012), to encourage an integrated commercial and mixed use development pattern along Route 13, and to fully utilize the PLUS process for ensuring intergovernmental coordination and to participate in the State and County planning processes in the future.

The 2020 State Strategies Map designates most of the area north of Duck Creek within the municipal boundaries of Smyrna as Level 1, while portions of the Watson Farm project (on the west side of Duck Creek Road), the former Mid-Del Auto Salvage Yard (now owned by the State of Delaware), the Smyrna Rest Area, and those developed parcels at the intersection Paddock Road, Joe Goldsborough Road, and U.S. Route 13 have been designated Level 2. In addition, those previously-mentioned parcels on the northern periphery of U.S. Route 13 that have been added to Smyrna's Annexation Future Land Use Map in this Plan were designated as Level 4 on the 2020 State Strategies Map. The 2012 New Castle County Comprehensive Plan has designated portions of the proposed and expanded Smyrna annexation area, particularly the 34-acre vacant parcel (known as the Adams farm) north of the DE Route 1 and U.S. Route 13 crossover, as 'Resource and Rural Preservation.' The 25.78-acre vacant parcel on the north side of Paddock Road, owned by KRM Development Corporation, is likewise designated for 'Resource and Rural Preservation' by the 2012 New Castle County Comprehensive Plan despite being identified for annexation and development since the 2002 Smyrna Comprehensive Plan. Meanwhile, the developed residential and commercial properties (including the Village of Savannah) north of the DE Route 1 and U.S. Route 13 crossover, and identified in this Plan for the first time for annexation, were designated for 'Very Low Residential Density' under the 2012 New Castle County Comprehensive Plan.

The State Strategies Map and Kent County's recently revised 2018 Comprehensive Plan envision a growth zone that includes the towns of Smyrna and Clayton, an area bounded on the east by SR1, and a zone to the west defined by proximity to the county's regional wastewater system. That growth zone extends south to Dover and beyond. Future growth through annexation by Smyrna to the south (north of Brenford Road and west of SR1) in the Kent County-designated growth zone to support new development is fully consistent with the state strategies and the

Kent County comprehensive plan. The Kent County Growth Zone has remained mostly unaltered since its 2007 Comprehensive Plan.

The 2002 Smyrna Comprehensive Plan initially designated areas south of Brenford Road as part of the future growth area. Consistent with an agreement with Kent County, the areas south of Brenford Road were designated as “areas of concern” but not included in the town’s annexation zone. These “areas of concern” were removed in the 2010 State Strategies Map update, but they have not been included in the town’s annexation zone. Almost all of these parcels previously identified for annexation south of Brenford Road in the Smyrna 2002 Comprehensive Plan (but taken out in the 2005 and 2012 Plans) were developed for low-density residential development on County sewer and private water service. This Plan now includes six parcels totaling 57-acres south of Brenford Road, approximately 40 acres of which were designated for ‘Low-Density Residential Development’ in the 2018 Kent County Comprehensive Plan, although all of these parcels are within the County Future Growth Area.

The town also excludes properties adjacent to the railroad that are included in the State’s agricultural lands preservation program. The Town will continue to ensure that residential developments adjacent to the preserved farmlands will be made aware of the preservation status, including the required setback and notice requirements, to minimize the potential for conflicts between accepted agricultural activities and other uses.

#### Future Growth and Annexation Areas

##### **Spruance City and Route 300**

This enclave was once part of the estate of James W. Spruance who subdivided his land into residential lots in 1870. Since this time, lots have gradually developed, most of which occurred prior to the adoption of zoning by the Kent County Levy Court. The area is predominately single-family residences, including mobile homes, modular houses and stick-built dwellings, with the majority of the development occurring in the middle of the 20<sup>th</sup> century. Individual on-site water (well) and septic systems, many of which are now failing, serve the residences and businesses in the area. In 1991, the Town of Smyrna proposed annexing the entire area, but the residents of Spruance City voted 161-43 against annexation. Since this time, the Town of Smyrna has annexed parcels in Spruance City on an individual case-by-case basis at the request of the landowner in order to access public utilities. In terms of geography this area is, for all practical purposes, part of the Smyrna community.

While annexation to address public health needs is appropriate public policy, the existing development falls short of meeting current Smyrna development codes and may result in greater public service demands than are likely to be recovered through revenues. Nevertheless, this enclave of development should be part of the municipality and annexation should be considered as requests are received. A small number of parcels on the northeast and southeast sides of Route 300 near the Smyrna Business Park and along Glenwood Avenue east of the Route 6

intersection should continue to be considered for annexation. These annexations must be consistent with Clayton's desires in this area as well.

### **Colmar Manor, Cedarbrook, S. Carter Road, east and west along Sunnyside Road**

The residential subdivisions of Colmar Manor, Cedarbrook, and other small groups of residential lots along South Carter Road were platted and developed since 1950 when the surrounding area was still agricultural. These subdivisions and lots are all served by individual on-site water and wastewater facilities. Since the early 2000's, the surrounding farmland has been annexed into the Town of Smyrna and developed into suburban residential subdivisions on public utilities. Annexation of these older residential subdivisions and lots into the town is desirable from both a community structure and utility efficiency standpoint, and should be considered a priority as requests are received. The area also includes a parcel for which an annexation request was approved. The undeveloped portions of this area should be developed for single family residential uses, consistent with Smyrna's codes, ordinances, policies, and plans.

### **The U.S. Route 13 Corridor Enclaves**

South of Lake Como, Smyrna's town boundary is irregular and broken along the Route 13 Corridor by a number of parcels not included in, but surrounded by, the municipal boundaries of Smyrna (primarily between Smyrna-Leipsic Road and Cory Lane). These parcels are a mixture of existing roadside single-residential lots, older strip commercial uses, and some vacant parcels. This inconsistent boundary creates service delivery and emergency response questions, results in inconsistent application of development standards, and weakens Smyrna's community identity. Recent annexations have filled in a number of these enclaves, but all the properties north of U.S. 13/Carter Road intersection should be included in the Annexation Future Land Use Map, and designated Corridor Commercial. No services should be extended to these properties unless and until they are annexed. An issue in this area involves electric service, as many of the outlying parcels are customers of Delaware Electric Cooperative (DEC). Annexation might require negotiations between the Town and the DEC for purchase of the service to these customers. The Town should evaluate these costs carefully if annexation is requested.

### **U.S. Route 13 Southern Periphery**

The 2002 Smyrna Comprehensive Plan originally identified hundreds of acres of then vacant agricultural lands south of Brenford Road for annexation, but these lands were subsequently removed from Smyrna's Annexation Area in the 2005 Comprehensive Plan Update. Two of these large agricultural parcels were subsequently developed into suburban residential subdivisions (now known as Brenford Station and Willowwood) under County zoning controls and using County sewer service and Tidewater water service. Additionally, a much smaller residential subdivision, known as Big Oak, was platted and recorded but never started. The latter subdivision and six vacant parcels (totaling 57 acres) south of Brenford Road along U.S. Route 13 have been included in this Plan. Those vacant parcels fronting U.S. Route 13 are expected to be annexed and developed under the 'Corridor Commercial' (mixed-use) land use designation so as to

provide an attractive southern gateway into the Town of Smyrna. The Town strongly encourages the Big Oak subdivision to be annexed and redesigned using the 'Planned Village Community' design standards with a mix of housing types and with connections to the before-mentioned mix-use commercial development fronting U.S. Route 13.

South of Carter Road along U.S. Route 13, the manufactured home community of Holly Hill and the small single-family home subdivision of Lawndale were platted and developed under County zoning since the 1960's. The former was connected to County sewer in recent years, while the manufactured homes remain on individual well. The homes of the Lawndale subdivision remain on private well and septic. This area also includes the more modern Burtonwood Village residential subdivision fronting Big Oak Road on the east side of U.S. Route 13. This subdivision was developed with County sewer service and private water service, and is thus unlikely to be annexed, although it has been included in Smyrna's annexation plan.

Otherwise, since most of the former vacant agricultural tracts of land south of Brenford Road were subdivided and developed under County zoning and sewer service and private water service, it is very unlikely that any of these areas will ever petition for annexation into the Town of Smyrna. For this reason, these existing residential subdivisions have not been identified for annexation in the Town's Annexation Future Land Use Map.

### **North of Duck Creek**

Until the adoption of the 2002 Smyrna Comprehensive Plan, new growth in Smyrna had been concentrated south of Lake Como, and westward toward the Town of Clayton. Since 2002, nearly 700 acres north of Duck Creek have been annexed into the Town of Smyrna. This area south of the DE Route 1 and U.S. Route 13 crossover were identified in the 2002 Smyrna Comprehensive Plan for annexation, but this annexation area was not certified by the State due to opposition from New Castle County and the State, and questions involving the provision of sewer services by the Town that would ultimately be treated by Kent County's regional system. A multi-party agreement between the Town of Smyrna, New Castle County, Kent County Levy Court, and the State relating to future extension of the growth area, environmental protection and other matters was executed in 2005, which limited new annexations and development to the south of the DE Route 1 and U.S. Route 13 crossover north of Duck Creek.

Since the 1950s, the frontage of U.S. Route 13 was gradually developed into a haphazard collection of roadside residential lots, small-scale suburban-style strip commercial centers and business, and all on private well and septic. This has led to an unattractive gateway into Smyrna, especially with the construction of the DE Route 1 interchange north of Duck Creek in the early 2000's. In the past ten years, public sewer and water service has been brought north across Duck Creek, and westward from the James T. Vaughn Correction Center to serve the new Duck Creek Business Campus, and the state-owned Smyrna Rest Area north of Paddock Road.

Despite the significant number and acreage of annexation since 2002, a large enclave of approximately 125 acres near the intersection of Joe Goldsborough Road, Paddock Road, and

U.S. Route 13 remains outside the municipal boundaries of Smyrna. This area includes a 27-acre parcel owned by KRM Development Corporation, Ronnie's Garden World, Wawa, the Stover Plaza strip commercial center, and a small number of roadside residential lots and commercial businesses. These areas were identified in the 2012 Smyrna U.S. 13 Corridor Plan and Design Manual (subsequently adopted as a Comprehensive Plan Amendment) for redevelopment into a higher density mixed-use commercial corridor with multi-story buildings set close to U.S. Route 13 with numerous pedestrian amenities and paths. These parcels have been identified in this Plan for annexation under the Corridor Commercial land use designation.

This Plan, for the first time, has identified parcels north of the DE Route 1 and U.S. Route 13 crossover for annexation. This new modest annexation area now includes the 58-acre State Police Pistol Range, the Village of Savannah residential subdivision, a 34-acre vacant parcel (once known as the Adams Farm), and a small number of individual residential lots, commercial businesses, and two independent churches. In total, an additional 315 acres has been included in the northern periphery of Smyrna's annexation area. All of the before-mentioned areas and parcels are currently served by individual well and septic (although the Village of Savannah is served by United Water of Delaware). The primary purpose of including the before-mentioned parcels in the Town's annexation area is specifically to allow the 34-acre vacant parcel to be developed into an attractive mixed-use high-density gateway under the 'Corridor Commercial' land use designation. This vacant parcel has recently been acquired by a regional developer. The Village of Savannah subdivision, and other residential properties on the east side of U.S. Route 13, are unlikely to petition for annexation in the immediate future (until such time as the individual septic systems begin to fail). These parcels, if and when they are annexed, will be brought into the Town under the 'Neighborhood Residential' land use designation. The State Police pistol range, if annexed, will be brought in under the 'Institutional' land use designation. Given that the northernmost limit of municipal water and sewer service is at the state-owned Smyrna Rest Area, it is anticipated that this new annexation area will not be connected to municipal utilities for 3-5 years.

### **Areas East of SR 1**

Some areas east of SR 1 (i.e., Smyrna Landing and the Smyrna Correctional Facility) are frequently considered to be part of the community in one sense or another and might be areas to be considered for annexation (for example, the correctional facility is served by a wastewater line that runs out Smyrna Landing Road from the town).

Nevertheless, the state and county development plans and strategies discourage development east of SR 1. Most of the farms east of DE Route 1 have been protected by a permanent agricultural conservation easement or a temporary agricultural preservation district. Additionally, for the first time, this Plan has identified the remaining large unprotected agricultural parcels east of DE Route 1 (and west of Duck Creek Road) as a proposed 'Green Belt' to be permanently protected by state and/or local sources. This Plan identifies no additional parcels for annexation located east of DE Route 1 (outside of those already annexed into the Town).

## SECTION 3 - COMMUNITY DESIGN

Smyrna's comprehensive plan and development policies recognize that good design is a function of how places meet the varied needs of our residents for home, work and play. Good design might not be simply the result of application of engineered standards to the development process. According to the Better Models for Development in Delaware, the foundations of good design are opportunities for people to explore, develop, manage, enjoy and maintain safe and comfortable relationships with their environment, their neighbors, their neighborhood and their community at large. The goal is to achieve that sometimes elusive quality of place. These fundamentals are expressed in how the design of the project addresses the unique features of the site, how it relates to the scale and character of the surrounding community and neighborhood, the way pedestrian and vehicular requirements are met, and a number of other considerations.

The historic core of Smyrna (within the Town's original one square mile boundaries), which developed gradually and incrementally over a 200-year period, represents an attractive and functional community design with its mix of housing types and uses and interconnected street and pedestrian network. Unfortunately, many of the residential subdivisions and commercial shopping centers constructed in the last 50 years are suburban in character, designed around the automobile, and are disconnected from neighboring subdivisions and areas of the Town. It is recognized that most of the residential subdivisions will not be redeveloped given the impossibility of re-assembling the individual lots. However, the suburban strip commercial shopping centers and uses along U.S. Route 13 hold significant promise for redevelopment. In 2012, the Town of Smyrna partnered with DelDOT, the Dover/Kent MPO, and a third-party planning consultant to complete and adopt the Smyrna U.S. 13 Corridor Plan and Design Manual. This Plan called for the transformation of the existing low-density strip commercial corridor into a higher-density mixed-use corridor. It envisioned multi-story buildings constructed close to U.S. Route 13 with numerous pedestrian connections and amenities so as to recreate an urban 'Main Street' along U.S. Route 13. The Plan seeks to mimic the success of other communities in northern Delaware (particularly South Main Street in Newark and Governor Printz Blvd in Claymont). A hybrid form-based code was adopted by the Town of Smyrna in 2014, but since a comprehensive rezoning was not completed along the length of the U.S. Route 13 corridor, only one project has been approved using said zoning standards.

Also in 2014, the Town of Smyrna adopted a 'Planned Village Community' conditional use option for new large-scale residential projects in any residential zoning district. This option permits smaller residential lots, higher densities, mandates that new dwellings be constructed closer to the street, and requires townhouses and apartments to utilize rear-accessed alleys and parking areas. However, as of the date of this Plan, only two small single-family residential subdivisions have utilized this conditional use option. This is partially due to the fact that the conditional use option wasn't adopted until after the majority of the newer subdivisions were already approved, recorded, and vested in the early 2000's.

The continuing goals for Smyrna and its environs include the protection and enhancement of the Town's considerable aesthetic and historic assets, the encouragement of well-designed, small-scale, cluster development, as well as the enhancement of its image through visual improvements to commercial development along Route 13.

The existing image of the Town, unfortunately, is often largely formed by the appearance of the frontages along Route 13. Elsewhere in the Town, especially in its historic district and its park and recreation areas, the Town exhibits a positive visual image which should be protected and enhanced, serving as a guide for future development and, in turn, serving to increase demand for all land use types in the Town.

The policies which support these goals and issues include:

- The comprehensive rezoning of the full length of U.S. Route 13 to a new 'Corridor Commercial' zoning district (based on the existing North Corridor and South Corridor zoning districts) to prod the redevelopment of this low-density strip commercial corridor into a higher-density mixed-use and pedestrian-oriented 'Main Street'-like corridor.
- Renewed attention to upgrading the condition and appearance of the downtown, primarily through streetscape improvements such as the burying of overhead utility wires, consistent decorative paving, as well as street furniture and landscaping.
- The creation of a new Downtown Residential zoning district to ensure that new development and redevelopment reflects the scale and historic character of these downtown residential neighborhoods.
- The creation of a new 'Planned Village Community' zoning district to ensure that new large-scale residential subdivisions (primarily north of Duck Creek) are designed and developed with smaller lots, dwellings constructed to the street, an interconnected street and sidewalk network, and a mix of housing types to mimic the scale and character of Smyrna's historic downtown residential neighborhoods.
- The adoption of a strengthened Historic Preservation Ordinance, including the development of design guidelines and review processes for the Historic Preservation Overlay District in an attempt to preserve and promote the Town's historic character.

Furthermore, the Town has developed cluster development design guidelines and related options for more compact developments, as well as working with developers to promote the elements of good community design in new projects by offering incentives for superior design. Common elements of superior design include:

- Compact form that encourages walking
- Streetscape designed for pedestrians
- Buildings set close to the sidewalk

- Narrow, interconnected streets
- Neighborhood parks and open spaces
- Mix of housing types and price ranges
- Architectural variety and diversified landscaping
- Compatible non-residential uses, including schools and neighborhood retail

As part of its on-going planning process, the Town will continue the refinement of its zoning code and subdivision ordinance to ensure that new residential and commercial development and redevelopment reflects the traditional historical character of the community.



## **SECTION 4 – GOVERNMENT AND COMMUNITY FACILITIES PLAN**

### Town Government

Smyrna is governed by a mayor and six popularly-elected town council persons utilizing a council-manager system. The mayor chairs meetings of the Town Council and appoints members to town committees with the approval of the Council, but otherwise is not responsible for the day-to-day governance of the Town (known colloquially as a weak-mayor system). The mayor is elected for two-year terms. Council members are elected for three-year terms and staggered whereby one district and one at-large council members are up for election every year. A full-time Town Manager, appointed by the Town Council is responsible for the day-to-day operations and administrations of town staff (outside of the police department which is governed separately by the police chief who is also appointed by and reports directly to the Town Council).

In addition to the municipal clerk, the Town Manager oversees a finance director, human resources manager, information technologies manager, public works director, vehicle fleet manager, library director, and the director of planning and inspections. These department heads manage a total of 63 full-time employees and 7 part-time employees in multiple locations across Smyrna.

The Town contracts third-party legal services through Hudson, Jones, Jaywork, & Fisher, LLC out of Dover, DE. Barrett Edwards IV, through this law firm, serves as the Town Solicitor as set forth in the town charter. Until late 2020, the Town relied on a single third-party engineering firm (KCI Technologies) as the Town Engineer. In late 2020, the Town completed an exhaustive RFP and selected Duffield Associates as the Town's general engineer (completing development review and day-to-day operations) and separately contracted with Pennoni Associates and JMT Engineering to complete the design and analysis of the Town's long-term water, wastewater, stormwater, and roadway infrastructure. Furthermore, the Town currently contracts with Tangibl Group, Inc. for contractual engineering services for the electric department.

### Community Facilities Plan

The goal of this portion of the plan is to provide a full range of facilities for the needs of the existing and future Town residents.

Policies supporting these goals include:

- a. Provide improvements to community and recreational facilities in an orderly fashion by including them in the Capital Improvements Program in accordance with the town's growth and development goals and budget capacity.
- b. Locate new parks, school recreation areas, fire, and police facilities to be convenient to residents and to enhance economic development in the community.

- c. Community and recreational facilities should be combined to maximize their use and minimize expenditures and protect otherwise sensitive areas (Appendix D, Figures 15).

### Town of Smyrna Facilities

Anticipated population increases and planned growth patterns indicate the need for major new community and recreational facilities as growth occurs. In late 2020, the Town contracted with Tischler Bise to conduct an analysis of the Town's existing single general impact fee. It is envisioned that this impact fee will be broken out between water, sewer, parks, and general government, and will be scaled appropriately to meet the long-term Town infrastructure and capital needs based upon expected growth patterns. It is anticipated that this new impact fee structure will be adopted during 2021.

The present Town Hall, built in 1976, was expanded and upgraded in 2003 to accommodate additional administrative staff and public services through the planning period. With the anticipated Town growth, at some point the Town's administrative needs will require additional space to accommodate offices and parking requirements. In 2018, the Department of Planning & Zoning and the Department of Building & Inspections was moved from Town Hall to the former Smyrna School District building on South Main Street. Since this building is planned to be incorporated into a new Duck Creek Regional library, it is not known where these two town departments will ultimately be relocated to.

Formally, both the Public Works Department and Electric Department were housed in complexes on Glenwood Avenue and School Lane. In 2009, both departments were relocated to a new 25,000 sq. ft. facility constructed within the Smyrna Business Park.

The Smyrna Police Department had been operating from cramped and inefficient facilities for many years. The Smyrna Police Department formally operated out of a station that was constructed in 1988 on Glenwood Avenue adjacent to the former Town Public Works complex, but this facility became overcrowded for immediate and future needs. In 2016, the Police Department moved into a brand new 22,790 sq. ft. masonry building along Glenwood Avenue.

As part of its long-range planning activities, Smyrna is carefully considering the full extent of its present and future service needs, including planning for additional staff, equipment and facilities. A growing community creates demands in all three areas. A satellite fire service and/or library site may be needed at some point to service growth areas. Opportunities for consolidation and relocation of existing facilities are being explored. Needed future administrative space is being examined in the context of other community goals, such as support for revitalization of the downtown.

The Town (outside of the police department) maintains a fleet (as of March 2021) of 66 vehicles, all of them gas/diesel operated. A dual EV charging station was purchased in 2020 and will be installed in 2021 in the downtown public parking lot behind 22 S. Main Street. The Town plans to

purchase electric vehicles (and additional accompanying EV charging stations) in the coming years.

### Smyrna Police Department

The Town of Smyrna maintains a police force of 29 sworn officers, 7 full-time and 3 part-time communications dispatchers, and two administrative staff members. The department provides police assistance throughout the incorporated areas of Town and to the greater Smyrna community in coordination with the Delaware State Police and the neighboring Clayton Police Department. In addition to its patrol division, the department operates a special investigations unit, two school resource officers, a community policing unit, and contributes officers towards an area Special Weapons and Tactics (SWAT) Team. Since 2019, the department has been led by Police Chief Torrie James. The Smyrna Police Department Headquarters is located at 325 W. Glenwood Avenue.

### Duck Creek Regional Library

Smyrna's first library was founded in 1858 as a subscription library. Since 1870, the Smyrna Library has operated out of the old Town Hall (now known as the Smyrna Opera House) along South Main Street. While it was originally staffed solely by volunteers, and governed by an all-volunteer board, the Library was taken over by the Town in the 1980's, who in turn hired a full-time librarian to supplement the group of able volunteers. With the renovation of the building from 1998-2003, the Smyrna Library has been able to supplement its 2,500 sq. ft. of first floor space with an additional 2,900 sq. ft. of basement storage and meeting space. However, the rapid increase in population of Smyrna (and northern Kent County in general) has placed strains on the ability of the present library space to adequately serve the community. In 2007, the Town of Smyrna commissioned a Library Needs Assessment in coordination with the Delaware Division of Libraries. This assessment was completed in 2014 and outlined a need for \_\_, \_\_ sq. ft. multi-purpose public library to serve the needs of the greater Smyrna community. The Becker Morgan Group subsequently designed an approximately 25,000 sq. ft. two-story library to be located on a 1.61-acre town-owned property along South Main Street. This design would utilize the former Smyrna Post Office building (now housing the Department of Planning & Inspections) for its frontage along South Main Street, while a large addition would be constructed off the back the building.

### Fire Protection

The Citizens Hose Company ("CHC") was formed in 1888 to provide fire protection to Smyrna and the surrounding community. Originally housed in the first floor of Town Hall (now the Smyrna Opera House), the Company moved to its present location at 103 W. Commerce Street in 1925. The fire house was expanded in 1954, 1969, 1971, and 1985 to its present size. The CHC currently operates three fire engines, a rescue truck, a ladder truck, tanker, brush truck, and smaller utility vehicles and apparatus. In early 2020, the Citizens Hose Company submitted plans for the renovation of the existing fire house, including a proposed 6,630 sq. ft. addition. This project will

include the reconfiguration of the community hall and the expansion and addition of administrative offices and training spaces. No additional space is currently planned for additional pieces of apparatus. As an all-volunteer system, the Fire Company is dependent upon a volunteer population within close proximity to the building to respond to alarms both day and night. In 2019, the CHC responded to \_\_ fire calls, \_\_ rescue calls, and assisted in \_\_ EMS calls. Accessibility to future growth areas is a growing concern. The Town is working with the fire company to identify potential satellite locations.

### EMS Protection

The David C. Harrison Ambulance Company was founded in 1924 by members of the David C. Harrison American Legion Post #14 to provide emergency medical services and transport to citizens of the greater Smyrna community. Originally located on South Main Street, the services were moved to Glenwood Avenue in 1961. The present ambulance station was constructed and dedicated in 2013 at the intersection of DE Route 6 and DE Route 300 within the municipal boundaries of Smyrna. The Company currently operates four BLS ambulances using a hybrid of volunteer and paid staff. From 2014 to 2018, the number of medical calls that the Company has responded to has risen from 3,575 to 4,043 (an increase of 13% in just four years). Additionally, since 2003, the Kent County Levy Court has operated a paramedic substation at 5100 Wheatley's Pond Road (also within the municipal boundaries of Smyrna).

### School Facilities

As of September 2019, there were 5,882 students attending schools in the Smyrna School District. This represents an increase of 766 students (13.02%) since 2012. A 2019 Needs Assessment projects that enrollment in the Smyrna School District will grow to 6,608 students by 2024, an increase of 12.34% over 2019 levels. The District School Board includes 5 members and one student representative. Eight schools are in full operation: Sunnyside Elementary School, Clayton Elementary School, Clayton Intermediate School, Smyrna Elementary School, North Smyrna Elementary, John Bassett Moore Intermediate School, Smyrna Middle School, and Smyrna High School.

The mission of the Smyrna School District is to ensure that the students of the community are prepared as effectively and as efficiently as possible to become responsible and productive citizens possessing the knowledge, the problem-solving skills, and the positive attitudes necessary to successfully adapt to and function in an ever changing environment.

Accounting for the uneven growth in enrollment levels among grades, the Smyrna School District in the Fall of 2019 relocated the 4<sup>th</sup> grade from Smyrna Elementary School and North Smyrna Elementary School to John Bassett Moore Intermediate School to address immediate concerns with overcrowding. On February 22, 2020, the Smyrna School District held a referendum (which passed) to complete \$3,571,700 (including \$667,300 in local funding) in renovations to North Smyrna Elementary School. By 2024, the Smyrna School District seeks to reconfigure Clayton Intermediate School (currently grades 5-6) into a Middle School for grades 6 thru 8. The Smyrna

School District has recently partnered with the Town of Smyrna to potentially acquire 15± acres for a new intermediate school (grades 4-5) along Rabbit Chase Lane as part of the re-subdivision and redesign of the Graceville residential subdivision, although negotiations remain ongoing. The before-mentioned 2019 Needs Assessments calls for the construction an additional intermediate school (grades 4-5) by at least 2024 to accommodate the increase in enrollment in the District. In addition, the District seeks to acquire at least one school site as part of the multi-phase nearly 300-acre Watson Farm project north of Duck Creek to serve the immediate needs of those new residents.

## SECTION 5 – PUBLIC UTILITIES AND INFRASTRUCTURE PLAN

### Public Services

The goal for public services is to optimize efficiency in the provision of public services through proper management of existing facilities and careful planning of physical expansion (Appendix D, Figures 8 and 9). Policies governing the extension of public services can be an effective mechanism to control location, density and type of growth. The Town's policies to limit the extension of utilities to outlying lands ("leapfrogging") may well encourage the annexation of more immediately adjacent areas.

Policies supporting these goals include:

- a. The Planning Commission shall carefully review all development proposals to determine their proximity to and probable impact on public service systems to ensure that adequate facilities are provided as development occurs.
- b. Cluster and mixed-use development of all land uses will be encouraged where appropriate through zoning regulations and design controls to promote greater efficiency in the extension of public services.
- c. The Town shall encourage development of infill sites by all available means in order to make efficient use of the existing public service infrastructure serving these areas.
- d. The Town should develop and follow a specific phased capital improvements program directing the extension of public services into those areas most suitable for development as delineated in the Comprehensive Plan.
- e. Continued maintenance and upgrading of existing infrastructure is also critical to ensure quality services to current residents and to provide the needed backbone for future extensions of services to new development.
- f. The Town shall encourage the use of 'green technologies' best management practices for stormwater management for all new development projects within the Town.

A primary means of controlling and channeling the growth of the community exists in the direction and timing of extensions of the three principal service networks: transportation, sewer, and water systems. Smyrna has an additional municipally owned utility system in its electric distribution system, an unusual asset for the Town and a service system that is not traditionally covered in a comprehensive plan. On the assumption that the Town would profit from further extensions of its electric service beyond the capital outlay, it should be assumed that, whenever this plan recommends extension of water and sewer facilities to a new growth area, electrical service by the Town of Smyrna would be included automatically.

## Sewer Facilities

Sewage treatment for the Town of Smyrna, as well as the Town of Clayton, the Delaware Correctional Institute, the Delaware Emergency Management Agency's facility, and the Smyrna Rest Stop/Visitors Center on Route 13, is provided by Kent County. The Town provides service to approximately 4067 residential customers, and generates approximately 277,400,000 gallons of sewage annually for treatment by Kent County. An additional 200 residential connections are expected within the Town's system in the next 5 years. The Town has an agreement with Kent County (most recently updated in July 2006) that commits the County to treat all sewage generated within the municipal boundaries of the Town. A Superior Court decision affirms that sewage generated from the New Castle County portion of the Town can also be treated by Kent County's facility. The Kent County agreement does not place any limits on the maximum amount of sewage that the County will accept from the Town; however, the Town and County are required to annually review and update the expected flows so that the County can plan for future capital investments.

The maintenance and extension of sewer lines within the present Town limits and within any areas to be annexed is in most instances a Town of Smyrna responsibility (a handful of areas and subdivisions in and around Smyrna have sanitary sewer services provided directly by Kent County). The Town utilizes an Asset Management Plan and 10-Year Capital Improvement Plan to keep close track of goals and future expectations internally, including the maintenance and extension of wastewater utilities. These two plans are reviewed and updated annually to reflect the current progress of set goals and to anticipate future projects. A recent review of the system, including sewer mains and pumping stations, found that the infrastructure is in reasonable condition and adequate for future growth with planned maintenance and anticipated capital investments to serve growth. To assist in prioritizing rehabilitation projects, Smyrna's Public Works Department uses closed circuit television video (CCTV) for inspections of underground pipe infrastructure. Using CCTV has helped the Town maximize the benefits of rehabilitation and construction repairs by choosing repairs based on visual data, not just the expected service life of a pipe.

The Town's sewer service is often a break-even proposition monetarily. However, policy regarding extension of water and sewer into areas being considered for annexation should continue to take a second priority to the overall planning and fiscal concerns of the Town. New developments in future growth areas will add to the tax base and will also allow for control of growth which might not otherwise follow patterns recommended by this Plan or be to the Town's benefit.

With recent upgrades to Kent County's sewer transmission system, the only constraint to extension of sewer lines within the Town or its proposed growth area to the south is local topography. Areas where topography does not permit gravity flow, new lines would need to be provided with lift stations. This can be a constraint to small-scale development but should not restrict the development of larger tracts or consideration of annexation to meet the Town's goals and growth requirements. The Town routinely coordinates with the Kent County Engineer and

the County's Sewer Advisory Committee to preplan central wastewater collection systems to service the Town's growth area

New Castle County does not provide sewer services to the areas north of Duck Creek. Hence, the collection system and any associated pumping stations or other facilities will have to be provided by the Town for future development. The legal issues associated with extension of the Town's sewer services north of Duck Creek were resolved in 2005. Treatment of wastewater will be provided by Kent County's regional facility for any growth within the Town's future boundaries in New Castle County.

In preparation for future development, the Town constructed a pump station, designed to handle 297 gallons per minute (gpm), in 2015 just north of Duck Creek on Route 13 to assist in transporting wastewater south into the Kent County System. In 2018, the North Duck Creek Utility Extension Project was completed, which includes approximately 1.5 miles of sewer infrastructure running north on Route 13 and provides the Smyrna Rest Stop with sewer services. This extension provides critical infrastructure for areas north of Duck Creek and east of Route 13, allowing for cheaper and easier connections into the Town's sewer system. There are preliminary plans to construct additional sewer infrastructure along Joe Goldsborough Rd., Duck Creek Rd., and Route 13 to create a trunk line that would provide sewer services for a large area on the western side of Route 13 currently zoned for development.

### Water Service

The Town operates three wells, with a combined maximum pump capacity of 3,100 gpm which can generate 2.7 mgd. There is ample capacity for new water service users, as the current average daily demand is 1.2 MGD. Currently, there are 4,067 existing residential connections to the water system, and an additional 200 connections are expected in the next 5 years. The Town's overhead water storage capacity is 1,400,000 gallons, but there are plans to construct an additional water tower north of Duck Creek in the near future.

The maintenance and extension of water lines within the present Town limits and within any areas to be annexed is entirely a Town of Smyrna responsibility. The Town utilizes an Asset Management Plan and 10 Year Capital Improvement Plan to keep track of previous goals and future expectations internally for water services, mainly maintenance and extension projects. These two plans are reviewed and updated annually to provide the Town with the most current data and summaries of the previous year to be able to learn from previous projects. Using both plans, the Town can anticipate future costs and track the prioritization of projects more accurately.

The Town's water service, similar to their sewer service, is often a break-even proposition monetarily. However, policy regarding extension of water and sewer into areas being considered for annexation should continue to take a second priority to the overall planning and fiscal concerns of the Town. Not only will water service extensions increase the total tax base through new development, but it will also allow for controlled growth, which growth the Town needs to



ensure will follow patterns recommended by this Plan or that are otherwise beneficial to the Town.

Recent improvements to the water system include the North Duck Creek Utility Extension Project in which water services were run alongside the sewer on the east side of Route 13. This new infrastructure allows for easier and cheaper connections for residents east of Route 13 and marks the first Town water services being run north of Duck Creek. Due to the high anticipated growth in the area, there are preliminary plans for a 750,000-gallon water tower across from the Smyrna Rest Stop. Additionally, to serve the needs north of Duck Creek there are plans to construct a water service loop alongside the planned sewer infrastructure on Joe Goldsborough Rd., Duck Creek Rd., and Route 13. By extending water services, along with sewer, in areas north of Duck Creek the Town can dictate where new development occurs and can better prepare for its impact to the system.

Other long-term water upgrades include a town well and well house in the southern portion of Town. Multiple water line replacement projects are expected in the future across the entire Town as preemptive measures to combat potential leaks and water main shutdowns. Additional supply and storage capacity may be needed as the community develops. Extensions of the present system will be needed within each new subdivision or planned business/commerce or industrial/office/research sites as these areas develop.

#### Municipal Separate Storm Sewer System (MS4)

Stormwater is rainwater or melted snow that runs off streets, rooftops, fields, lawns or other surfaces. In most instances, this surface runoff is infiltrated into the ground and used to replenish aquifers and streams. However, in urbanized areas like Smyrna with concentrations of impervious surfaces, stormwater runoff is not able to directly infiltrate into the ground and is instead collected in catch basins, street gutters, ditches/swales, and storm sewer pipes and discharged directly to adjacent streams (known colloquially as stormwater management). As this stormwater runoff goes through this collection network, it also collects oils, heavy metals, nutrients, sediment, trash, and other chemicals that can pollute local streams and water bodies if not correctly managed.

Wastewater treatment plants and large industrial facilities, known as point sources, which directly discharge pollutants into waterways have been regulated by the Environmental Protection Agency (EPA) since the enactment of the Clean Water Act in 1977. It was not until 1987 when this act was amended by Congress in the Water Quality Act that the definition of point source was broadened to include stormwater from urbanized locations, known as Municipal Separate Storm Sewer System (MS4). The Delaware Department of Natural Resources and Environmental Control (DNREC) is delegated by EPA to enforce the standards outlined in these Federal Acts through the National Pollutant Discharge Elimination System (NPDES) permitting process. Until recently, only New Castle County, DelDOT, Delaware City, City of Dover, City of New Castle, City of Newark, City of Wilmington, Town of Middletown, Town of Elsmere, and Town of Newport (all except Dover in urbanized New Castle County) were subject to a NPDES MS4

permit. However, the EPA in 2016 issued regulatory changes that small MS4s located within designated 'urbanized areas' as defined and delineated in the 2010 Census are now required to be covered under a NPDES MS4 permit. In Delaware, this ruling covers an additional fourteen municipalities (mostly in Kent and Sussex Counties) including the Town of Smyrna, which are now subject to a NPDES MS4 permit (although nine of these municipalities were issued five-year waivers by DNREC due to the small size of their stormwater systems).

On July 8, 2020, DNREC issued for 60-day public notice their Phase II MS4 Tier II General Permit which outlines a comprehensive list of standards, milestones, and benchmarks that these new small MS4s, including the Town of Smyrna, shall be required to meet and/or achieve during the 5-year permit term. DNREC is currently addressing these comments and an official issuance of the permit is expected later in 2021. These requirements and milestones include public education and outreach, employee training, mapping of the stormwater system, the adoption of both an Illicit Discharge, Detection, and Elimination Ordinance and a Sediment and Stormwater Ordinance, the identification of high priority discharge sites, and the development of various procedures and reports (among many others). Once the pending Phase II MS4 Permit has been issued, the Town of Smyrna (and the other affected municipalities) will have 60 days to submit a formal Notice of Intent (NOI) to apply for coverage under said permit. The permit noted that the Smyrna River Watershed, which includes the Town of Smyrna, is impaired by levels of total nitrogen, total phosphorus, and bacteria. In order to comply with the pending Phase II MS4 Permit, the Town of Smyrna began implementing several of the known requirements, including the following:

- 1.) In April 2017, the then Smyrna Town Engineer, KCI Technologies, drafted the Smyrna Public Works Maintenance Facility Stormwater Plan. This Plan outlined how stormwater will be maintained on the 42-acre Town-owned public works maintenance yard on Artisan Drive. This Plan is required to comply with the Town's Industrial Stormwater Runoff Permit.
- 2.) In 2017 and 2018, the Town obtained two Surface Water Matching Planning Grants from DNREC to pay KCI Technologies to field locate and map all stormwater structures, ditches, and pipes within the Town. As shown on Figure 16, a total of 1,696 stormwater structures and 185,434 linear feet of stormwater conveyances (24,894 linear feet of open ditch/swales and 160,540 linear feet of closed stormwater pipes) were mapped by KCI within the Town of Smyrna.
- 3.) In 2018, using funds from a Surface Water Matching Planning Grant, KCI Technologies identified and mapped 303 potential green technology best management practices (BMPs) using a Retrofit Investigation (RRI) Form. Four types of BMPs were identified including: bioretention, curb extension bioretention, median bioretention, and pervious pavement. Eighteen (18) projects were identified and selected as high priority projects for the Town to complete.

- 4.) In late 2020, KCI Technologies drafted a template stormwater management ordinance for consideration of adoption into the Town Code by the Town Council. This ordinance will (among other things) prohibit non-stormwater discharges into their MS4, which is a requirement for meeting the Town's Industrial Stormwater Runoff Permit. This stormwater ordinance will tentatively be adopted by the Town Council later in 2021.

The Town of Smyrna will continue to partner with their consulting engineers and DNREC to proactively meet or exceed the requirements and milestones set forth in the before-mentioned Phase II Tier II MS4 permit.

### Electric Service

The Town of Smyrna provides electric service to approximately 6,200 customers (residential and commercial). Due to growth in demand and the need to maintain service reliability, the town's electric system plans are regularly updated and detailed. For example, in 2006, the Town installed a new substation to help meet current and future needs. New distribution circuits and other system improvements, such as an automated metering system, have also been added to accommodate new customers and annexation. A 1.5 MW photovoltaic (PV) solar farm was installed by the Town in June 2018, increasing renewable power's contribution to our power supply. As the number of customers and load grows, the Town will plan, expand and update its infrastructure as required to maintain safe, reliable and economic electric service to the community. The Town is responsible for installing new electric lines and installing meters to monitor usage, as well as for maintaining the electric lines, transformers, and other electric infrastructure.

The Town of Smyrna is also a member of the Delaware Municipal Electric Corporation, or DEMEC. DEMEC procures power for its members in an economic manner from the PJM Interconnection, a regional transmission organization (RTO) that coordinates the movement of wholesale electricity in all or parts of 13 states (including Delaware) and the District of Columbia. DEMEC owns and operates a modern, gas-fired turbine generator, completed in 2012 and located near the Town's substation, which provides economic and reliable "peaking" power to the Town and other DEMEC member municipalities. DEMEC also promotes the principles of public power community ownership through active representation and participation in regional and federal arenas.

Since November 2019, the Town and DEMEC has partnered with Efficiency Smart to offer technical assistance, energy audits, and low-cost energy efficient fixtures to residential and commercial electric customers. To date, this program has assisted 103 residential customers and 4 commercial/industrial customers install or complete 355 energy efficiency measures which has saved 1,726 MWh of electricity and \$193,244 in customer savings. The Town advertises this program to customers through notices in monthly utility bills, newspaper advertisements in the *Smyrna-Clayton Sun Times*, and through the Town's social media interfaces.

### Solid Waste Disposal

The Town currently contracts with Waste Management for weekly trash and recycling pickup to the approximately 4,700 customers within Smyrna. In accordance with Delaware State Law, the Town utilizes single-stream recycling to its residential and commercial customers. In addition, the Smyrna Public Works Department offers curbside pickup of yard waste (grass, leaves, and brush). Yard waste is disposed of on its 27.75-acre municipal property located at the intersection of Duck Creek Road and Joe Goldsborough Road.

### Natural Gas

Chesapeake Utilities, headquartered in Dover, DE, supplies natural gas service to the Town of Smyrna. The utility company owns and maintains natural gas lines throughout the Town (and to neighboring Clayton). Chesapeake Utilities owns and maintains a natural gas storage facility in neighboring Clayton at the intersection of School Lane and Wheatleys Pond Road. In addition, Delaware Propane owns and operates a propane storage facility at the intersection of Smyrna-Clayton Blvd and Glenwood Avenue.

## SECTION 6 - TRANSPORTATION PLAN

Smyrna's founding in 1768 is traced to its advantageous location at the intersection of the north-south King's Highway and the east-west Maryland Road leading from the nearby Smyrna Landing to the Chesapeake Bay. Today, Smyrna remains astride to and bisected by major transportation routes. U.S. Route 13 (known as Dupont Highway or Dupont Blvd) was constructed running north-south adjacent to downtown Smyrna in 1926 and was dualized as an at-grade four-lane highway in 1931 between Wilmington and Dover. This was followed and complimented by the construction of the parallel north-south limited-access four-lane DE Route 1 by 2003. The completion of DE Route 1 diverted seasonal beach traffic away from Smyrna, but it provided the Town and surrounding area easy and convenient access to employment centers in and around Wilmington. This helped to stimulate the construction of suburban residential subdivisions and the transformation of Smyrna into a bedroom community. Meanwhile, DE Route 300 remains a significant east-west truck route connecting DE Route 1 and US Route 13 in Smyrna with US Route 301 and US Route 50 across the Chesapeake Bay Bridge. The commuting patterns of Smyrna's residents reflects its status as a suburban bedroom community as shown below:

Commuting to Work (Workers 16 Years and Over)	
Car, truck, or van (Drove Alone)	82.7%
Car, truck, or van (Carpooled)	10.4%
Public Transportation	2.8%
Walked	1.7%
Bicycled	0.0%
Other	0.5%
Worked at Home	1.9%

*Source American Community Survey 2018 5-Year Estimates*

Only 20.3% of Smyrna residents work within the municipal boundaries of the Town, among the lowest of any Town of its size in Delaware (but similar to the neighboring suburban communities of Middletown, Townsend and Clayton). With a mean average commute time of 30.3 minutes, Smyrna has among the longest average commute times in the State; only Clayton (34.7 minutes) and Middletown (37.1 minutes) have longer average commute times. Approximately 43.9% of Smyrna residents commute 30 or more minutes to work.

While the automobile is undisputedly the primary mode of transportation of Smyrna residents to work and shop, the Town seeks to provide a continuous multi-modal circulation system for all modes of transportation for residents and visitors of all ages and incomes. The primary goal for circulation is to achieve a safe, efficient, pleasant, multi-modal circulation system utilizing vehicular, transit, bicycle, and pedestrian travel.

### Existing Road and Street Network

As of the adoption of this Plan, there are approximately 35.71 linear miles of municipally-owned and maintained streets and 22.56 linear miles of state-owned and maintained streets and roadways within the Town of Smyrna (as shown in Appendix D Figure 10). The linear miles of municipally-owned and maintained streets is updated annually, and is used as the basis for the state-funded Municipal Street Aid program. The State of Delaware through the capital bond bill provides funding (\$350,000 in FY2019) to every State legislator for transportation projects in each legislative district, known as the Community Transportation Fund. Projects and funding for the latter program is done at the discretion of the individual state legislators, and can flexibly be used for everything from repairing street potholes, traffic signage, sidewalks, public and private parking lots, etc. In addition to municipally-owned and maintained streets, the Town of Smyrna also owns two public parking lots in the downtown commercial district. In 2004-2005, the Town constructed a public parking lot with 60 vehicular spaces on the vacant lot (formally occupied by the Rothwell granary) along S. Main Street adjacent to the Smyrna Opera House and Library. The Town also owns a 1.62-acre lot along South Main Street which includes the offices of the Planning & Inspections Department (and the presumed future site of a new regional library), and a public parking lot containing approximately 30 marked vehicular parking spaces. This parking lot is in dilapidated condition and could potentially be repaved and reconstructed to include more than 100 spaces as an interim measure prior to the construction of a new library.

### Transit Alternatives and Facilities

The Delaware Authority for Regional Transit (DART) has operated a regional bus transit service from Smyrna and Wilmington (Bus Route 301) since 1989 (originally under the auspices of the Delaware Railroad Administration) and from Smyrna to Dover (Bus Route 120) since 2009. Known today as DART First State, this bus service operates as an arm of the Delaware Transit Corporation (DTC), itself a division of the Delaware Department of Transportation (DelDOT). Currently, DART First State operates eleven (11) bus stops in Smyrna, all along US Route 13. These bus stops are highlighted on Figure 10 in Appendix D. However, only three (3) of these DART bus stops include an actual covered shelter, while many of the before-mentioned bus stops lack access to connecting sidewalks and pedestrian shared use paths. Both of these shortcomings contribute to low ridership of DART bus service by Smyrna area residents. As a general rule for bus routes in Kent County, DTC requires a daily ridership of at least 20 from a bus stop to warrant a covered bus shelter.

DTC's 5-year Transit Plan includes the need to create a circular-type service for the Town of Smyrna and/or expand the two existing bus routes to increase the number of bus stops. While downtown Smyrna (and west Smyrna in general) have a high enough density of residents and potential riders, many of the downtown streets are narrow and include on-street parking, which is not conducive to standard DART buses. DTC is exploring alternatives to utilizing smaller buses to help Smyrna residents both get around Town and to connect them to existing DART bus routes

along U.S. Route 13. DTC is also in the beginning stages of planning a more comprehensive circulation bus route with bus stops along E. Glenwood Avenue and S. Carter Road.

In addition to bus service, DART operates a Park and Ride at the Smyrna Rest Stop as a place for commuters to park their vehicles and carpool to work or utilize regional DART bus service. This is among the largest Park and Ride locations in the State with 78 parking spaces.

Carolina Trailways and Greyhound bus companies ceased interstate bus service from Smyrna (and elsewhere south of the C & D Canal) after 2012 except for a stop in Dover.

### Bicycle Alternatives and Facilities

DE Route 6 going from the Maryland state line east through Smyrna and Clayton to Woodland Beach is a designated 'Regional Bicycle Route' by DelDOT. Portions of this bike route through Smyrna have wide shoulders or marked bike lanes. U.S. Route 13 running north-south through Smyrna is a designated 'Connector Bicycle Route' by DelDOT, and which includes wide paved shoulders.

The Town of Smyrna currently requires that bicycle racks be provided for all new commercial and non-residential development. As set forth in Section 6.1.A(7) of the Smyrna Zoning Ordinance, a minimum of one bicycle rack (with 5 spaces) shall be provided in every commercial parking lot containing 20 or more spaces.

In September 2017, the Dover/Kent MPO completed and adopted the 2017 Regional Bike Plan which identified and prioritizes recommended projects, and makes recommendations for policies, ordinances, and other actions that should be taken at either the State, County, or Municipal level to improved bicycle safety. The Plan identified the following five projects in the Smyrna-Clayton vicinity shown in the table below. In addition, the Plan also recommended additional bicycle signage along Smyrna-Leipsic Road going east outside the municipal boundary going out to Bombay Hook National Wildlife Refuge.

Score	Project	Limits	Description
78.1	Smyrna School Link	Duck Creek Parkway from N. Main Street to Smyrna High School	Install 1,000 ft bicycle trail connecting the eastern terminus of existing trails to N. Main Street
71.8	Brenford Road, Smyrna	Brenford Road from SR 1 to Hillyard Road	Provide continuous bike lanes and/or shared use path along entire route
67.1	Sunnyside Road	Sunnyside Road from S. Carter Road to DE Route 300	Provide continuous bike lanes along the entire route
66.1	Rabbit Chase Road	Full length of Rabbit Chase Road	Provide either bike lanes or a shared use path along the entire route
55.9	Clayton, DE-Easton, MD Rail Trail	27 miles from School Lane (Clayton) to Maryland Line	Conversion of railroad tracks into rail trail

## Pedestrian Alternatives and Facilities

Based upon 2014 GIS data, there are 61.05 linear miles of sidewalks within the municipal boundaries of Smyrna. As of the adoption of this Comprehensive Plan Update, the Town does not maintain an up-to-date list of sidewalks (or curbing), or their state of repair or condition, or priority list for repair or construction. The Town seeks in the future to create and maintain an inventory of existing sidewalks and curbing within the municipal boundaries of Smyrna.

The Town of Smyrna requires the construction of sidewalks for all development projects. These sidewalks and other aspects of the pedestrian network are required by Federal law to comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG). In accordance with the Smyrna Town Code Appendix B – Subdivision and Land Development Ordinance §5.02(a), sidewalks at least 4 ft. in width are required to be constructed along all street frontages for all residential subdivision plans and commercial site plans. Meanwhile, the NC – North Corridor and SCZ – South Corridor Zoning Districts both require the construction of 10 ft.-wide concrete sidewalks along U.S. Route 13 and 5 ft.-wide concrete sidewalks along all secondary and internal access roads and streets. DelDOT requires the construction of at least 5 ft.-wide sidewalks along all state-maintained roadways on Level 1 areas as shown on the 2020 State Strategies for Spending Map.

Once an inventory of existing sidewalks, shared use paths, and other pedestrian amenities has been created, the Town seeks to develop a framework and plan to install or update sidewalks and pedestrian amenities to fill in the gaps and deficiencies of the existing network. In particular, the Town seeks to prioritize those projects which connect commercial areas with high density neighborhoods, to connect schools and other community amenities and institutions with adjacent residential neighborhoods, and to ensure that all bus stops are served by an adequate and continuous pedestrian path and network. Through the development review process, the Town seeks to both fill in any gaps of pedestrian infrastructure, but also ensure facilities are compliant with the Americans with Disabilities Act. The Town recognizes that various widths and types of sidewalks, shared use paths, and pedestrian infrastructure may vary based upon context and intensity of those land uses it serves. In short, the Town strives to follow those design principles outlined in the *Complete Streets of Delaware: A Guide for Local Governments*, developed by the Institute for Public Administration in 2011 and subsequently adopted for use by DelDOT and other local governments in the State.

## Regional Transportation Planning

Reflecting its location straddling two counties and nearly midway between Wilmington and Dover, the Town of Smyrna is formally split between two metropolitan planning organizations along county lines: the Wilmington Area Planning Council (WILMAPCO) and the Dover/Kent MPO. Metropolitan Planning Organizations are Federally mandated and funded regional transportation agencies charged by the Federal-Aid Highway Act of 1962 to develop a regional transportation plan and a transportation improvement plan to channel Federal funding. WILMAPCO was founded in 1968 to serve Wilmington, New Castle County, DE and Cecil County, MD while the



Dover/Kent MPO was founded in 1990 to serve Kent County, DE and the City of Dover. The Smyrna Town Planner serves as a voting member of the Technical Advisory Committee for the Dover/Kent MPO.

### Smyrna U.S. 13 Corridor Plan and Design Book

In 2012, the Dover/Kent MPO funded a master plan in coordination with the Town of Smyrna, the Office of State Planning Coordination, and DelDOT to provide short-term and long-term strategies for the development and redevelopment of the Route 13 corridor through Smyrna. With consultant support from McCormick Taylor and AKRF, the master planning effort was a public-private partnership with numerous public stakeholders' meetings which culminated with a five-day design charrette from August 20-24, 2012. In accordance with a July 2012 Memorandum of Agreement between the Town of Smyrna, DelDOT, the Office of State Planning, and the Dover/Kent MPO, the following goals and objectives were mutually agreed upon as part of this Plan:

1. Work together to plan and design future land use and transportation improvements along the corridor to help the Town develop a unique 'sense of place.'
2. Enhance mobility and safety for bicyclists, pedestrians, and transit users to promote alternative transportation modes.
3. Enhance aesthetics along the corridor to improve both the economic vitality of businesses and the quality of life for residents and travelers.
4. Promote interconnections of properties and the consolidation of entrances.
5. Make building form and function a priority over building use to ensure the maximum amount of economic options for business growth and development.
6. Encourage flexible urban design solutions that fit in with the various functions of U.S. 13.

The Plan divided the Route 13 Corridor into four distinct sections (Northern, Central, Southern, and Transitional), and outlined design alternatives for each section. The Plan called for the Route 13 Corridor in Smyrna to be redeveloped as an alternate 'Main Street' with buildings set close to the roadway, wide sidewalks and pedestrian amenities, presence of transit amenities, and generous landscaping. Among other things, the Plan called for the development of a form-based code to guide new development along the Route 13 Corridor, the establishment of a Corridor Transportation Improvement District to fund transportation-related improvements, and the potential reduction of speed limits along various sections of the Corridor to be approved on a case-by-case basis.

The U.S. 13 Corridor Plan and Design Book was formally signed and approved by the Town of Smyrna, the Director of the Office of State Planning Coordination, the Secretary of DelDOT, and the Chairman of the Dover/Kent MPO Council in early 2013. The Plan was also adopted as a Comprehensive Plan Amendment on June 17, 2013. In 2014, the Town of Smyrna created and adopted the NC – North Corridor and SCZ – South Corridor zoning districts, a hybrid form-based code that includes numerous neo-traditional design standards including requirements for the

construction of 10 ft-wide sidewalks along U.S. Route 13. A Central Corridor zoning district was never created, despite the 2012 Corridor Plan calling for one. In addition, a comprehensive rezoning of all those parcels identified in the Northern and Southern zones was never completed and have instead been done on a piecemeal basis as development applications are submitted. This Plan supersedes the 2012 U.S. 13 Corridor Plan and Design Book, and will build off of the groundwork laid by the U.S. 13 Corridor Plan and Design Book by creating a consolidated Corridor Zoning District.

Despite input and collaboration from DelDOT staff during the drafting of the NC and SCZ zoning districts, disagreements have arisen between the Town and DelDOT during the development review process regarding the placement and construction of sidewalks, landscaping, and streetlights (and even building placement). The Town seeks to sign a memorandum of agreement with DelDOT related to both design standards along the Route 13 Corridor and the reduction of speed limits along certain segments.

On October 23, 2013, in response to a request from the Mayor and Town Council to lower the speed limit from 55 mph to 35 mph on U.S. Route 13 between Duck Creek and the DE Route 1 onramp, DelDOT lowered the speed limit to 45 mph between Duck Creek and Paddock Road.

#### Recently Completed and Ongoing Transportation Improvements (2012 – 2020)

The largest and most substantial transportation-related project within Smyrna is the ongoing South Main Street project from the intersection of South Street to the intersection with U.S. Route 13. In addition to the repaving of the 0.28-mile street segment, new sidewalks and curbing will be installed, and all water/sewer/electric lines will be upgraded or repaired at an estimated final cost of approximately \$4.3 million. Lastly, a continuous and attractive streetscape with streetlights, street furniture, and landscaping will be installed along this street segment to mimic the streetscape project already completed along S. Main Street from the intersection of Commerce Street to South Street. A similar project is planned for N. Main Street from the intersection of Commerce Street to Glenwood Avenue to thus provide a continuous and attractive streetscape along the entirety of Main Street through the downtown commercial district.

In the Fall of 2020, DelDOT will begin the repaving of Glenwood Avenue from the intersection of U.S. Route 13 to Dickerson Street in Clayton. This will also include the installation of new traffic signals, pipe and drainage repair, sidewalks/shared use paths and curb ramps for ADA compliance.

Since 2014, the Town of Smyrna has utilized \$686,509.54 in Municipal Street Aid (MSA) to repave and repair 0.64 miles of street segments along School Lane and Cindy Lane.

### Proposed or Planned Transportation Improvements

The Dover/Kent MPO is responsible for formulating a Metropolitan Transportation Plan (MTP) every four years to guide transportation funding around Dover and throughout Kent County, DE as a whole. The 'Vision 2045' MTP was formally adopted by the Dover/Kent MPO on January 6 2021, which replaced the 'Vision 2040' MTP from January 2017. The 'Vision 2045' MTP includes 55 proposed roadway projects, 77 proposed bicycle/pedestrian/transit projects, 9 freight projects, and 45 studies. Of these, ten (10) roadway projects, four (4) bicycle/pedestrian/transit projects, and five (5) studies are at least partially within the municipal boundaries of Smyrna. The MTP projects are broken down between 'Near Term' (to be completed between 2021 – 2026), 'Mid Term' (to be completed between 2027 – 2034), 'Long Term' (to be completed between 2035 – 2045) and 'Aspirational' (to be completed between 2021 – 2045). The Smyrna projects are outlined in the below table:

MTP Score	Project	Limits	Description	Est. Cost	In Service
0.61	North Main Street	Glenwood Ave to Duck Creek Road	Design ROW improvements and bike/pedestrian facilities	\$100K	Near Term
0.61	Intersection Improvement Feasibility Study	Wheatley's Pond Rd/School Ln/S. Bassett St	Study upgrades to select intersections along Wheatley's Pond Rd	\$249.3K	Near Term
0.61	North Main Street	Glenwood Ave to Duck Creek Road	Provide continuous shoulders and bike/pedestrian facilities	\$900K	Mid Term
0.61	Intersection Improvement Feasibility Study	Wheatley's Pond Rd/School Ln/S. Bassett St	Construct upgrades to select intersections along Wheatley's Pond Road	\$2.243 M	Mid Term
0.00	Duck Creek Parkway	Bassett Street to Main Street	Upgrade to functional classification, and add bike/pedestrian facilities	\$5.305 M	Mid Term
0.58	Main St/Commerce St Safety Improvements	Intersection of Main Street & Commerce St	Construction of safety improvements	\$7.842 M	Mid Term
0.34	Brenford Road	U.S. Route 13 to Rabbit Chase Ln	Upgrade to functional classification and add bicycle/pedestrian facilities	\$5.305 M	Mid Term
0.00	Rabbit Chase Lane	Rabbit Chase Lane	Upgrade to functional classification and add bicycle/pedestrian facilities	\$5.305 M	Mid Term
0.39	Sunnyside Road	DE Route 300 to U.S. Route 13	Upgrade to functional classification and add bicycle/pedestrian facilities	\$5.305 M	Mid Term
0.60	Glenwood Ave	Glenwood Ave from U.S. Route	Upgrade to functional classification and add bicycle/pedestrian facilities	\$5.305 M	Mid Term

		13 to Smyrna-Clayton Blvd			
0.51	Smyrna School Link	Duck Creek Pkwy	Multi-Modal Improvements	\$2.364 M	Mid Term
0.32	Rabbit Chase Lane	Rabbit Chase Lane	Bike Lanes	\$2.364 M	Mid Term
0.37	Sunnyside Road	Sunnyside Road	Bike Lanes	\$2.364 M	Mid Term
0.60	U.S. Route 13 Sidewalks		Fill in sidewalk gaps in priority areas	\$950 K	Long Term
0.72	U.S. Route 13 Commercial Corridor Study	Duck Creek south to southern Smyrna DE-1 Interchange	Commercial Corridor Study	\$75 K	Aspirational
0.45	Smyrna Transit Loop Study	Town-wide		\$50 K	Aspirational
0.58	South Smyrna Development Area Study	Sunnyside, Rabbit Chase, Brenford Roads		\$75 K	Aspirational
0.65	Bike & Pedestrian Plan	Town-wide	Bike & Pedestrian Plan	\$50 K	Aspirational
0.47	Park & Ride Plan	Town-wide	Park & Ride Plan	\$50 K	Aspirational

With revision of the boundary and service area of the Dover/Kent MPO to only include Kent County, DE, those transportation projects and improvements on the New Castle County portion of Smyrna will now fall under WILMAPCO.

On February 24, 2020, the Delaware Council on Transportation (a nine-member board appointed by the Governor) approved the FY21 – FY26 Capital Transportation Plan (CTP). The Council on Transportation holds final authority to plan the priorities of DelDOT’s transportation projects through the CTP. The FY21 – FY26 CTP includes two projects (North Main Street and Duck Creek Parkway) previously outlined in the before-mentioned Dover/Kent MPO ‘Vision 2040’ Metropolitan Transportation Plan. As per the FY21 – FY26 CTP, both projects are not expected to commence with design and state funding until FY2026.

The Smyrna Public Works Department maintains a prioritization list of roadway and utility improvements to be completed within various defined segments of municipally maintained right-of-way. This document evaluates roadway condition, water utilities, sewer utilities, and stormwater utilities on a graduated scale (good/fair/poor/failing/failed), although it does not weight each of these variables differently and it does not rank each of the projects against one another. Sidewalks and curbing are not at present factored into this scoring. This document has been generated by staff at the Public Works Department and is updated on a periodic basis. The document is not regularly reviewed by the Smyrna Town Council or the Smyrna Utility Committee, although it is used as a basis to provide projects for inclusion in the Smyrna Capital Improvement Plan (CIP). At the adoption of this Plan, the prioritization schedule maintained by the Public Works Department includes 31 street segments totaling 7.28 miles (20.38% of the municipally maintained street network in Smyrna). This list includes 3.97 miles of streets rated as fair, 2.45 miles rated as poor, and 0.86 miles rated as failing/failed. The estimated cost to

complete these 31 rehabilitation projects (including road/water/sewer/storm improvements) ranges from \$2,552,000 to \$8,227,000 depending on the scope of the work.

### Transportation Policy Goals

- 1.) The Town shall maintain an up-to-date prioritization list of municipal streets to be paved and/or repaired. The Town should explore means to enhance the scoring and prioritization of projects on this list, including actually ranking projects against one another. This prioritization list should be reviewed and approved by the Smyrna Utility Committee and Town Council with opportunities for comment and input by members of the public. This prioritization list should serve as the basis for choosing street segments to be repaved and/or repaired through both Municipal Street Aid and the Smyrna Capital Improvement Plan (CIP).
- 2.) Continue to require sidewalks, crosswalks, and other pedestrian and transit amenities (where applicable) through the development review and approval process. The Town shall consider increasing the minimum widths for all new sidewalks to 5 ft.
- 3.) The Town seeks to sign a Memorandum of Agreement with DelDOT regarding shared and agreed upon streetscaping and development review standards for those new projects in the U.S. Route 13 corridor.
- 4.) The Town shall coordinate with the Delaware Transit Corporation to ensure efficient and effective transit services and facilities are provided to Smyrna area residents. Priority shall be given to provide covered bus shelters and an adequate pedestrian path to all DART bus stops. Bus stops and other transit facilities should be constructed and incorporated into new high density and commercial projects through the development review process wherever practicable. New DART bus stops and routes should be created in the greater Smyrna area to provide greater transit alternatives to Smyrna residents, especially along Glenwood Avenue and S. Carter Road.
- 5.) The Town shall create and maintain a list and map of all existing sidewalks and pedestrian paths and facilities within the municipal boundaries of Smyrna. The Town shall maintain an up-to-date prioritization list of sidewalks and pedestrian facilities to be repaired or gaps in sidewalks/pedestrian paths to be closed and constructed.
- 6.) The Town of Smyrna shall coordinate with and provide input to the Dover/Kent MPO and WILMPACO for their Metropolitan Transportation Plan (MTP) and Transportation Improvement Plan (TIP), specifically as it relates to recommending potential transportation projects for State and Federal funding. Specifically, the Town seeks to obtain State transportation funding through the MTP and TIP for the installation of sidewalks, crosswalks, and pedestrian amenities along U.S. Route 13 through Smyrna.
- 7.) The Town should consider creating a Transportation Improvement District (TID) with the approval of, and in coordination with DelDOT and the Office of State Planning to facilitate the construction of transportation related improvements north of Duck Creek in Smyrna.
- 8.) The Town seeks Community Transportation Fund (CTF) and other state and private monies to expand parking and pedestrian connectivity and amenities throughout the downtown commercial district and surrounding residential neighborhoods.

## SECTION 7 - HISTORIC AND CULTURAL RESOURCES PLAN

Smyrna's character is established by its historic setting along Duck Creek and the extensive architecture remaining from its earlier Colonial and Victorian periods of development. The first settlement within the present municipal boundaries of Smyrna occurred where the King's Road (now known as North Main Street) crossed Duck Creek and was known as Duck Creek Village and later as the Village of Salisbury. Founded around 1705, Duck Creek Village included a grist mill, bolting mill, and three churches (in addition to an unknown number of dwellings) by the time of the American Revolution. With the silting of Duck Creek in this vicinity by the end of the 18<sup>th</sup> century, Duck Creek Village stagnated and slowly languished throughout the 19<sup>th</sup> and 20<sup>th</sup> centuries. The development of the Town of Smyrna approximately a mile to the south meant that until annexation in 2015, Duck Creek Village remained outside of the municipal boundaries of Smyrna. The only remaining historical structures include the former miller's house (known as 'The Lindens'), and the late nineteenth century gristmill. An approximately 31.2-acre National Register District was created for the Duck Creek Village on February 1, 1972, while the Delaware Division of Historical & Cultural Affairs has owned the approximately 19-acre 'The Lindens' property since 19\_\_\_. DHCS placed a permanent historic preservation easement on 'The Lindens' property in 19\_\_\_. In past years, the Duck Creek Historical Society has provided tours and other educational programs at 'The Lindens' although this has faded in recent years. The future of 'The Lindens' remains in doubt as the Division of Historic and Cultural Affairs is seeking to transfer ownership of the property to a third-party or the Town of Smyrna.

The Town of Smyrna can be traced to Samuel Ball, a Philadelphia merchant, who in 1768 purchased 15 acres at the intersection of the King's Road (now known as Main Street) and the Maryland Road (now known as Commerce Street). Throughout the late 18<sup>th</sup> century and 19<sup>th</sup> century, Smyrna gradually grew and prospered, fueled primarily by the shipping and transport of grain from the nearby Smyrna Landing. Smyrna's downtown grid pattern streets were surveyed and laid out in 1817 by an act of the Delaware General Assembly. The 1868 J.D. Beers Atlas of Smyrna outlines approximately 250 buildings and dwellings in a grid pattern of more than a dozen square blocks. An 1885 birds-eye engraving of Smyrna shows a similar (and slightly enlarged) footprint of buildings and dwellings. Smyrna's population first peaked in 1890 (at 2,455), and slowly languished over the next 50 years with the rapid decline in shipping out of Smyrna Landing. Despite a stagnating (or declining population), numerous dwellings were constructed in this period on the periphery of Smyrna's downtown (especially along Mt. Vernon Street, South Street, and Smyrna-Clayton Blvd) along with numerous public buildings (including John Bassett Moore Intermediate School and the 1920 Smyrna Post Office now owned by the Town of Smyrna). Throughout the early Post War Period (1950's-1970's) most of Smyrna's new growth grew outward organically on similar grid streets on generally larger lots (i.e. Lake Como Gardens, Cottage Dale Acres or along already platted streets like New Street, High Street or Glenwood Avenue). Since 1980, most of Smyrna's new growth has been on large greenfield tracts and in areas newly annexed away from the historic core. Because Smyrna grew gradually from around 1770 to 1890, Smyrna's downtown and historic core (part of the original 1 square mile laid out by the General Assembly in 1857) includes numerous architectural styles including Georgian,

Federal, Greek Revival, Italianate, Second Empire, and Queen Anne Victorian. This area also includes dozens of plain vernacular homes constructed during varying periods of history.

On May 23, 1980, the Smyrna National Register Historic District was completed and approved by the National Park Service. This 138.49-acre District detailed and surveyed 481 structures, although at the time said structures were not evaluated for being ‘contributing’ or ‘non-contributing’ as is the case for modern National Register Districts. An unknown number of these structures have since been demolished. This District roughly includes the parcels and structures facing Mt. Vernon Street down to South Street with longer corridors radiating north and south along Main Street and east and west along Commerce Street. In 2019, staff from the Division of Historic & Cultural Affairs and the University of Delaware’s Center for Historic Architecture and Design (CHAD) met with the staff and members from the Smyrna Historic District Review Board to discuss the potential expansion of the Smyrna National Register Historic District. Following a tour of the District and adjacent areas, staff from both agencies agreed that the existing District could be expanded (or created as a stand-alone District) to include those historic properties along Smyrna-Clayton Blvd (i.e. ‘Turner’s Row’) and W. Commerce Street in what was platted as ‘Spruance City’. Given the 50-year minimum age requirement for inclusion in the National Register, those neighborhoods like Lake Como Gardens platted and constructed in the 1950’s and 1960’s would also potentially be eligible to be included in an expanded District or new stand-alone District. Staff from the Division of the Historical & Cultural Affairs also recommended that the structures within the existing Smyrna National Register District be resurveyed to: determine which structures are ‘contributing’ and ‘non-contributing,’ document additional accessory structures and outbuildings which may not have been documented in 1980, and to note what structures or resources have been demolished.

In addition to the Smyrna National Register District (and the previously mentioned Duck Creek Village National Register District), there are/were individually listed National Register properties within the municipal boundaries of Smyrna. This includes Belmont Hall, a circa 1770 Georgian plantation house, which was purchased (along with the surrounding 30 acres) by the Delaware Division of Historical and Cultural Affairs in 1987, and is currently managed as a conference center and event venue by the Friends of Belmont Hall, Inc. Also individually listed on the National Register is the Moore House, an Italianate and Gothic Revival farmhouse built circa 1868 along Smyrna-Clayton Blvd, and maintained as a single-family dwelling under private ownership. Woodlawn (also known as the Thomas England House) was a plantation house first constructed in the 1730’s, but later remodeled in 1853 in the Greek Revival architectural style with a temple front and Doric columns. This plantation house, formerly located along U.S. Route 13, was placed on National Register of Historic Place on September 16, 1982 but was demolished in June 2017 prior to annexation into the Town of Smyrna. Lastly, Mount Pleasant (also known as the Samuel Cahoon House), a circa 1810 Federal style plantation house was listed on the National Register on September 11, 1992. This house was retained and preserved as a single-family dwelling as part of the Sunnyside residential subdivision. Inclusion in a National Register District or being listed individually on the National Register of Historic Places does not protect those historic structures and resources from being demolished or altered.

All those ‘contributing’ structures within the Smyrna National Register District (or Duck Creek Village National Register District) or those structures that are individually listed on the National Register of Historic Places are eligible to participate in the Federal Historic Preservation Tax Credit Program and the Delaware Historic Preservation Tax Credit Program. To participate in either program, applicants must complete qualified renovations to said structures using standards set forth in the Secretary of the Interior Standards for the Rehabilitation of Historic Buildings. From 2002 to 2019, 68 projects (58 of them in the City of Wilmington) utilized the Federal Historic Preservation Tax Credit. No building or project in Smyrna to date has utilized this credit since its creation. Since its creation by the Delaware General Assembly in 2010, \_\_ projects in Smyrna have utilized the Delaware Historic Preservation Tax Credit Program. The Federal program is limited to income-producing properties and requires that the value of qualified renovations equal the basis (as determined by the IRS) that the property owner has in the building, which is often too high for many projects to qualify and participate. However, the minimum level of investment to qualify for the Delaware Historic Preservation Tax Credit is only \$5,000 for owner-occupied projects. In short, many rehabilitation projects within the Smyrna National Register Historic District are eligible to utilize both Federal and State Historic Preservation Tax Credits, but either don’t know that they are eligible to participate, don’t understand the program/process, or are intimidated by the standards.

Since 2000, Preservation Delaware, Inc. has administered the Delaware Preservation Fund which offers grants and loans towards the rehabilitation or acquisition of historic properties in Delaware. Since its creation, no properties in Smyrna have utilized said funding source.

In July of 2003, an ordinance to amend the Town Code of the Town of Smyrna by adding a new Chapter 19 entitled “Historic Preservation Ordinance” was adopted. The purpose and policy of this ordinance was declared to be a matter of public policy that safeguarded the heritage of the Town and would preserve and protect structures and districts having historic, architectural, cultural, and aesthetic values, which are in the best interests of the citizens of the Town of Smyrna.

A Historic District Overlay Zone was established specifically to include the street frontages on both sides of the street, whether occupied by a structure or not, as follows:

- E. Commerce Street from Main Street to East Street
- W. Commerce Street from Main Street to Union Street
- Market Street Plaza from Commerce Street to South Street
- N. Main Street from Commerce Street to North Street
- S. Main Street from Commerce Street to South Street, and also including the property of the Smyrna Opera House and Library

The Overlay Zone also includes the structures at each corner of East Street, Union Street, Delaware Street, North Street, Mt. Vernon Street, Market Street Plaza, and South Street at their intersections with Commerce Street or Main Street.



In August of 2005 Mayor and Council approved an extension to include those properties listed on the National Register of Historic Places located on the following streets to be included in the current Historic Preservation Overlay District:

- West Mount Vernon Street from North Main Street to North High Street
- West Frazier Street from South Main Street to South School Lane
- Union Street from West Mount Vernon Street to West Frazier Street
- School Lane from West Mount Vernon to West Frazier Street
- West South Street from South Main Street to South School Lane
- Delaware Street from West North Street to West Frazier Street
- North Market Street from West Mount Vernon to West Commerce Street
- Houses fronting Cummins Street from South High Street to Market Street Plaza
- Houses fronting Mulberry Street from South School Lane to South High Street
- West Commerce Street from Union Street to South High Street, and also including the property located at the juncture of West Commerce Street, Smyrna-Clayton Boulevard and South High Street
- South Main Street from South Street to Lake Drive, also including those properties located on the east side of South Main Street from Lake Drive to Mill Street.
- The property located at 215 North Main Street

This extension of the District shall also include the corner lots located at the intersections of the following streets (whether occupied by a structure or not)

- North High Street and West Mount Vernon Street
- South High Street and West Commerce Street
- North School Lane and West Mount Vernon Street
- North School Lane and Peterson Street
- South School Lane and West South Street
- South School Lane and West Frazier Street
- South School Lane and Anthony Lane
- South School Lane and West Cummins Street
- South School Lane and Mulberry Street
- School Lane and West Commerce Street
- North Delaware Street and West North Street
- North Delaware Street and West Mount Vernon Street
- South Delaware Street and West Cummins Street
- South Delaware Street and West South Street
- South Delaware Street and West Frazier Street
- Delaware Street and West Commerce Street
- North Union Street and West Mount Vernon Street
- Union Street and West Commerce Street
- South Union Street and West Cummins Street
- South Union Street and West South Street

- South Union Street and Anthony Lane
- South Union Street and West Frazier Street
- North New Street and West Mount Vernon
- North New Street and Smyrna-Clayton Boulevard

In total, the Smyrna Historic District Overlay Zone includes 465 parcels on 126.81 acres. While the overlay zone is generally based on the boundaries of the Smyrna National Register Historic District, the boundaries of the two do not match in certain sections. Adjacent property owners may petition the Smyrna Historic District Review Board (SDRB) for inclusion into Historic District Overlay Zone or the SDRB may initiate a boundary expansion on their own. All boundary expansions of the Historic District Overlay Zone require the final review and approval by the Smyrna Town Council.

Chapter 19 of the Town Code also created a five-member Historic Review Board (HDRB), appointed by Mayor and Council. By the terms of Section 19-3 of the Town Code, at least one member of the HDRB should be a resident of the district, at least one member should own a business in the District, while all should have training, knowledge or interest in historic preservation, architecture, planning, building construction or renovation, or local history. The Historic Review Board is a valuable asset to the community and the homeowner, offering helpful advice on options of which the homeowner may not be aware. Their collective advice can protect homeowners from undertaking projects which may decrease not only the historical value but also the resale value of their most important asset, their homes.

Chapter 19 of the Town Code and Section 5.19 of the Smyrna Zoning Ordinance sets forth a series of standards and guideline that the HDRB is to utilize in reviewing development applications and demolition permits. The standards outline expectations that the Historic District Review Board will have for renovation or construction proposals and assist property owners with making appropriate choices for renovations or repairs to buildings located within the Historic Preservation Overlay District. New construction or any changes to the exterior of buildings in the overlay zone must also be approved by the Board. Appeals of decisions by the HDRB are heard and reviewed by the Smyrna Town Council.

Neglect and inappropriate conversion continue to threaten the Town's historic resources. Adoption of the Historic Preservation Ordinance, the creation of Façade Improvement Matching Grant Program, which provides incentives for preservation and restoration, marketing of the community's history and heritage, and other approaches are an integral part of Smyrna's planning and development strategy. Both commercial and residential properties located within the Historic Preservation Overlay District are eligible to participate in the Facade Improvement Matching Grant Program.

Prior to the approval of any Façade Improvement Matching Grant Application, the Historic Preservation Review Board shall review the application and make a recommendation to the Town Council as to whether or not the improvements are consistent with any historic district design

guidelines adopted by the Town and any other consideration provided for in Chapter 19 of the Town code.

The entire Smyrna Historic District Overlay District (and most of the Smyrna National Register District) is located within the Smyrna Downtown Development District. This State Program provides property owners, businesses, and developers the opportunity to obtain up to a 20% cash grant reimbursement from the Delaware State Housing Authority. Since the DDD designation was conferred in Smyrna in August 2016, the program has been very successful in stimulating the renovation and rehabilitation of historic structures and resources in Smyrna's downtown. The DDD program has been created and tailored to be utilized in coordination with the Federal/Delaware Historic Preservation Tax Credit Program, although few projects have utilized said tax credit programs to date.

#### Historic Preservation Planning Goals and Objectives:

- a. The Town seeks to revitalize the historic downtown to make it an attractive and interesting place to shop, work and live through appropriate streetscape improvements, pedestrian-friendly design, marketing and promotion, and public and private reinvestment.
- b. The Town shall apply for Certified Local Government status which will allow the Town of Smyrna to receive grants from monies allocated to the State of Delaware by the National Park Service.
- c. The Town shall explore either expanding the existing Smyrna National Register Historic District or creating one or more stand-alone National Historic District(s). In addition, the Town shall consider resurveying those structures within the 1980 Smyrna National Register District to: determine what structures are 'contributing' and 'non-contributing', to document those accessory structures and outbuildings not surveyed in 1980, and to document what structures have been demolished since 1980. The boundaries of the Smyrna Historic Overlay District shall be revised wherever practical to conform to the boundaries of all National Register Districts within Smyrna.
- d. As the Town annexes, historic resources will be identified and protected, if feasible, with permanent preservation easements through the Division of Historical & Cultural Affairs. Of particular concern are those properties annexed from New Castle County. Existing New Castle County protection for those historic properties will be lost once annexed. Historic designations and protections will be placed upon the properties simultaneous with annexation.
- e. The Town will explore mechanisms to document African-American historic resources. These resources haven't been previously well documented but add to the historic character of the community.
- f. New development projects and applications throughout the Town shall preserve and protect historic structures and resources from demolition to the greatest extent practicable.

- g. The Town shall strongly encourage, educate, and assist property owners and developers to apply for and obtain Federal and Delaware Historic Preservation Tax Credits. Town staff and the HDRB should host educational opportunities and produce educational materials for property owners, businesses, and developers on a periodic and continual basis to learn about how to utilize both tax credit programs.
- h. The U.S. Secretary of the Interior Standards for the Rehabilitation of Historic Structures shall serve as the basis for review and approval of projects by the Smyrna Historic District Review Board. The Town Code should be revised and design standards should be drafted to better fulfill the intent laid out in Chapter 19 (Historic Preservation) and this Comprehensive Plan and to provide greater transparency to developers, property owners, and the public at large.
- i. The Town shall create and adopt design standards and guidelines to supplement the before-mentioned U.S. Secretary of the Interior Standards and to provide greater transparency and predictability for property owners and HRB members alike.
- j. The Town shall provide funds for the Historic District Review Board and applicable Town staff to obtain training on a periodic basis on latest trends and principles of historic preservation planning.
- l. The Town seeks to proactively work with property owners to prevent the demolition by neglect of historic structures and resources throughout the Town.

## SECTION 8 - ECONOMIC DEVELOPMENT PLAN

As discussed in the introduction, Smyrna's history is tied to its location as a center of commerce and trade. Although the Town's economy has fluctuated with changes in transportation, the emergence of new forms of retail and service industries, and the dominance of Dover to the south, Smyrna today is experiencing a new wave of growth in its economy as well as in its overall population. Benefiting from access to the regional highway system, including DE Route 1, the Smyrna area is increasingly attractive to potential businesses.

Since the 1990's, Smyrna's economy, like that of the State and nation as a whole, has witnessed a significant decline in manufacturing related employment. Since 2001, Delaware has lost 15,900 or 38% of its manufacturing jobs. Manufacturing-related employment in Smyrna has declined from approximately 13% of the workforce in 2000 to 6% of the workforce in 2017. In essence, manufacturing went from employing the second most individuals (by industry sector) in 2000 to seventh by industry sector in 2017. Since 2000, Collette & Sons, Inc. (doing metal welding and fabrication) on North Main Street is the only remaining manufacturing facility within the Town of Smyrna, although the Eagle Group (formerly known as Metal Masters) and Hanover Foods remain in operation in neighboring Clayton.

Many former manufacturing facilities in Smyrna have been demolished and/or repurposed for other uses and businesses. The General Clothing manufacturing plant along US Route 13 was demolished and replaced by a Tractor Supply retail store in 2012, while the former General Clothing plant along South Main Street was demolished and replaced by a 110,000 sq. ft. medical office building (now known as the Smyrna Health & Wellness Center) in 2006. The 170,000 sq. ft. apparel and textile plant along Glenwood Avenue formerly owned by Harris Manufacturing was recently purchased in 2018 by investors planning to convert the bulk of the facility to an indoor farmer's market. Meanwhile, the former Rothwell granary along Glenwood Avenue/Smyrna-Clayton Blvd was demolished in 2009 to be replaced by a Family Dollar store, while the earlier Rothwell granary along South Main Street had been previously demolished in the 1990's to make way for additional downtown parking.

While manufacturing-related employment has seen the greatest decline by industry sector, employment in education, health, and social services has ballooned from 19% of the workforce in 2000 to 24% of the workforce in 2017. As of 2019, the Smyrna School District (with eight schools) now employs 954 full-time staff (up from only 400 in 2003), making them the second largest employer in Smyrna. The freestanding 37,767 sq. ft. Bayhealth Emergency Medical Center was constructed in 2007 at the intersection of Carter Road and Smyrna-Clayton Blvd, and employs approximately 54 staff members. Likewise, the 105,000 sq. ft. Smyrna Health and Wellness Center houses approximately 109 employees in the health-related field through Christiana Care and other independent healthcare providers. The state-managed 205-bed Delaware Home for the Chronically Ill (in operation since 1931), continues to employ approximately 620 staff in the health/social services field on the south banks of Lake Como and is now the third largest employer in Smyrna (down from the second highest in 2005).

The construction and build-out of the Simon's Corner Shopping Center and the Gateway North Shopping Center have continued to bring additional retail and service-related businesses and jobs to Smyrna. This is expected to continue and accelerate, especially at the vacant parcels at the intersections of Carter Road and Route 13 and Brenford Road and Route 13. With the addition of new dwelling units and accompanying residents, the Town of Smyrna seeks to attract more quality retail business, restaurants, and entertainment venues. Despite the increase in raw jobs in the retail and service-related industries in Smyrna since 2000, the percentage of workers employed in this industry field has remained steady at approximately 12%.

In 1995, the Town of Smyrna annexed and constructed the 95-acre Smyrna Business Park along Wheatley's Pond Road. As of 2020, the business park is nearly built-out, and it has only four small undeveloped lots left totaling approximately 9.4 acres. The tenants of the business park are primarily from the public/utility, distribution, or service-related industry sectors. These include offices and a power generation facility for the Delaware Municipal Electric Corporation, a National Guard Readiness Center, the Smyrna Public Works and Electric Departments, a brewery, building materials yard, and other small service-related businesses. In 2005, a 1.1 million square foot Walmart Distribution Center was constructed on an adjacent 189-acre parcel. This distribution facility employs over 1,000 area residents, and has, since construction, remained the largest employer within the Town of Smyrna.

In 2018, KRM Development Corporation broke ground on the 206-acre Duck Creek Business Campus located north of Duck Creek between US Route 13 and DE Route 1. As of 2019, water, sewer, and road infrastructure were brought to and installed/constructed throughout the business campus. The first flex office/warehouse/light manufacturing building (constructed, owned, and leased by KRM) is expected to break ground in 2020. Given its size and optimal location off of DE Route 1, the Duck Creek Business Campus will likely absorb the overwhelming majority of new business and employment growth within the Town of Smyrna over a 20+ year build-out. The business campus will generate an estimated 4,000 new high paying jobs and establish Smyrna as a regional employment center.

With the growth and proliferation of suburban residential subdivisions within Smyrna in recent decades, the Town has been transformed over time into a suburban bedroom community. According to 2018 ACS data, only 20.3% of Smyrna's residents work within the municipal boundary of Smyrna. The same data specifies that 38.5% of Smyrna's residents commute to work in New Castle County every day, while over 10% commute to out-of-state locations. The percentage of residents commuting out-of-county to work is among the highest in the State (only Clayton and Milford have higher percentages).

The Town's overall economic development goals include fostering a healthy downtown, encouraging a wide variety of retail and service businesses, and developing an expanded mix of business, office, manufacturing, distribution and other major employers to provide additional jobs, balance and enhance the local tax base, and provide necessary services locally for residents.

The Town is served by a 13-member Economic Development Committee (“EDC”) appointed by the Mayor. The EDC includes one Town Councilmember, business persons from a variety of industry sectors, a small number of concerned citizens, and is supported by the Town Manager and staff from the Department of Planning & Inspections. The mission statement of the EDC is: “To make recommendations to Town Council and Management on policies and programs that will increase economic development activity in the town, support the growth and success of small businesses, generate new jobs and tax revenue, and favorably position Smyrna in a competitive economic development landscape.”

### Town-wide Economic Development

On June 16, 2014, the Smyrna Town Council adopted the 2014 Smyrna Economic Development Strategy. This Plan replaced the Smyrna 2003-2004 Economic Development Plan, which remained in effect at the adoption of the 2012 Smyrna Comprehensive Plan. This 2014 Plan was drafted by the Smyrna Economic Development Committee and the Smyrna Downtown Renaissance Association with the assistance of Rick Ferrell, Smyrna’s third-party economic development consultant. This Plan included separate goals and objectives for the Town Overall, the U.S. Route 13 Corridor, and the Downtown. The Plan outlined the following objectives for the Town:

- Objective 1 – Uniqueness and identity.
- Objective 2 – Maintain an ongoing understanding of market/assessing the data/ understanding the demographics/ addressing the opportunities.
- Objective 3 – Capture the value of State Route 1, its interchanges, and access to the region.
- Objective 4 – Ensure that Smyrna is an appealing and attractive place to live, work, shop, educate, heal, and recreate.
- Objective 5 – Encourage and assure extended and sustainable economic vitality, supporting a broad mix of businesses and jobs.
- Objective 6 – Lead the effort to create well planned, efficient, and attractive development.
- Objective 7 – Retain, nourish, and grow our assets (economic gardening and buffalo shooting).
- Objective 8 – Attract the ‘right fit’, not just any fit.
- Objective 9 – Provide first class public services and utilities.

In the summer of 2019, the Smyrna Economic Development Committee began efforts to update the 2014 Smyrna Economic Development Strategy, which remains ongoing at the time of the adoption of the 2020 Comprehensive Plan. The 2014 Economic Development Strategic Plan served as the basis for the Town’s successful 2016 Downtown Development District application.

On June 21, 2004, the Smyrna Town Council created the Smyrna Slum Clearance & Redevelopment Authority (SDRA) to assist in the redevelopment of properties within the Town and particularly in the downtown commercial district. This quasi-public-private board is appointed by the Mayor of Smyrna and operates with the assistance of Town staff, but with

independent decision-making authority to award grants and loans. The Smyrna Town Council next created the Façade Improvement Grant Program on March 21, 2005 to reimburse property owners up to 25% of the cost of qualified exterior renovations (up to \$2,500) for buildings throughout the Town. Utilizing funding from Town-collected vacant building fees, since 2015, the RDA has awarded 57 projects (9 commercial and 48 residential) for a total of \$118,157.65 in grant funding. The façade grant awards since 2015 are shown in the table below:

<b>Year</b>	<b>Grant Amount</b>	<b>Grant Breakdown</b>
2015	\$12,500	4 commercial & 5 residential
2016	\$10,000	1 commercial & 3 residential
2017	\$20,000	1 commercial & 7 residential
2018	\$31,805.75	1 commercial & 16 residential
2019	\$38,851.90	2 commercial & 15 residential
2020 (partial)	\$5,000	2 residential
<b>TOTAL</b>	<b>\$118,157.65</b>	<b>9 commercial &amp; 48 residential</b>

In 2015, the Town of Smyrna obtained \$300,000 in funding from the USDA Rural Economic Development Loan Program. This was used as seed funding by the Smyrna Slum Clearance and Redevelopment Authority to create a revolving loan fund to be re-loaned to local business for both the renovation and fit out of space and the purchase of capital equipment for said businesses. Between 2015 and 2018, the RDA has dispersed \$379,600.83 in capital low-interest loans to four local downtown businesses as shown below:

<b>Year</b>	<b>Loan Amount</b>	<b>Business</b>	<b>Address</b>
2016	\$300,000	I3a, LLC	2 N. Main Street
2017	\$49,600.83	Lemon Leaf	2 N. Main Street
2018	\$20,000	Yarn Maven	62 W. Commerce St.
2018	\$10,000	Royal Treatments	14 S. Main Street
<b>TOTAL</b>	<b>\$379,600.83</b>		

The RDA has utilized all of its USDA seed funding, and has not dispersed loan funding since 2018. Given the mixed results of the four low-interest capital loans dispersed, it is unclear whether there's support for the loan program to continue.

On December 16, 2019, the Smyrna Town Council adopted an ordinance to create and revise a series of economic development incentives to attract new businesses, promote the expansion of existing businesses, and encourage the redevelopment of properties throughout the Town. This ordinance was the result of discussion and input from the Smyrna Economic Development Committee. Revisions to this ordinance and incentives were adopted by the Smyrna Town Council on October \_\_, 2020. These incentives include a variety and mix of property tax abatements, property tax reassessment waivers, permit/hookup fee waivers, and municipal impact fee waivers.



Since 2008, the Town of Smyrna has hired and retained a third-party economic development consultant, Rick Ferrell – Retail Market Answers, LLC. He has assisted the Town to develop long-range and short-range economic development strategies, conducts market analyses, assists commercial property owners with finding tenants, and assists local businesses make more educated decisions related to expansion and marketing.

In 2012, the Town contracted with the firms of Arnett, Muldrow & Associates and Strong Point Media to formulate a consistent branding for aesthetic treatments throughout Smyrna. This included designs for decorative lighting and street banners, which were purchased and installed in the downtown commercial district and along the Route 13 Corridor. Logos, letterhead, and other materials were developed both for the Town’s website and print marketing material. Since 2014, the Town has contracted with the firm of Gable Media to manage digital advertising and marketing of Town-related events, including ‘Smyrna at Night.’

### Economic Market Analysis

In August 2012, AKRF, a New York City-based economic consultant, completed an economic market analysis of the Smyrna Trade Area, which they defined as the area 15 miles to the north of Smyrna, and 5 miles to the south. The market analysis evaluated recent trends and future opportunities for three land use types: housing, office, and retail. This 2012 study found that there was a significant inflow of retail expenditures for convenience goods (i.e. supermarket and drug store items) from outside the Trade Area, while there was a significant outflow of retail expenditures for general shopping goods to department stores outside the Trade Area. In layman terms, residents were driving to Smyrna for their everyday food and shopping needs, but driving elsewhere to Dover or Wilmington for specialty retail purchases (i.e. clothes, sporting goods, home goods, etc.). The study reported an overall leakage of approximately \$100 million in shopping goods sales from the Smyrna Trade Area, and that the Town could likely support an additional 225,000 sq. ft. of additional retail space (most likely smaller specialty retail as opposed to big box stores). The same 2012 study found that 16% of the total office space (amounting to 740,000 sq. ft.) in southern New Castle County (generally Smyrna’s market area) was vacant. The study found little demand for office space in the next ten years going up to 2022.

In 2017, the Greater Kent Committee commissioned Rockport Analytics, a Pennsylvania-based economic market consulting firm, to complete an economic development analysis and strategy for Kent County, Delaware. The study and research recommended that the County target the following industries: Warehouse and Distribution, Business and Legal Services, and Health Care. Additionally, the study recommended that the County partner with local school districts to tailor and develop career education programs related to these and other industries, and to work with other local partners (including municipalities) to strengthen the quality of life in the County to attract and retain a talented workforce. In 2020, the Kent Economic Partnership again signed a contract with Rockport Analytics to revisit and conduct additional analysis of their 2017 study. With a contribution from the Town of Smyrna (and other municipalities in Kent County), this new study will identify target industry sectors and strategies for Smyrna, Dover, and Milford, and will

include an analysis comparing the overall cost of doing business in Kent County compared to our regional competitors as it relates to business attraction and retention.

In 2013, 2017, and most recently in February 2020, Smyrna's third-party economic development consultant (Rick Ferrell – Retail Market Answers, LLC) has completed a demographic and opportunity gap analysis (also known as a retail gap analysis). This analysis evaluates and compares over time the population and purchasing power of the greater Smyrna community based upon various drive times and distances, and evaluates whether there is a leakage of local purchasing power in various sectors of retail. The most recent February 2020 analysis specified leakages of \$80,490,898 (within a 10-minute drive time) in the following retail sectors for the greater Smyrna area (within 10-minute, 20-minute, & drive time):

- Automotive Parts
- Home Furniture Stores (Furnishings)
- Home Improvement Centers
- Grocery Stores & Supermarkets
- Health & Personal Care Stores
- Gasoline Stations
- Clothing Stores
- Shoe Stores
- Luggage & Leather Goods Stores
- Book stores and newsstands
- Warehouse clubs & supercenters (i.e. Costco, BJ's, Sam's Club)
- Fast Food Restaurants
- Full-Service Restaurants
- Coffee Shops

#### State and Local Economic Development Partners

In 2018, the Kent Economic Partnership was reformed as a public-private partnership between the Kent County Levy Court and the Greater Kent Committee. Beginning in 2019, the Smyrna Town Council has pledged a significant annual financial contribution to the KEP to better enable them to attract new businesses and industries and to assist existing businesses expand or meet new market challenges. Kent County Levy Court offers direct financial assistance through their Strategic Fund, and property tax abatement for qualified improvements and new construction based upon the creation of new jobs.

In early 2017, the former Delaware Economic Development Office (DEDO) was disbanded by Governor Carney. The Delaware Prosperity Partnership (DPP) was formed in its place as a statewide public-private partnership to attract, retain, and help existing large businesses (generally over 50 employees) in Delaware. Meanwhile, the Delaware Division of Small Business was created at the same time as DPP to assist small businesses in Delaware (generally fewer than 50 employees) and also to administer State-backed loans, grants, and tax credit programs for business expansion and attraction.

In 2018, Governor Carney designated an approximately 4,025-acre area in the Smyrna/Clayton area as one of the 25 Opportunity Zones in Delaware as set forth in the 2017 Federal Tax Cuts and Jobs Act. While 1,056 acres of said Opportunity Zone is within the municipal boundaries of Smyrna, the program has of the date of this Plan generated minimal interest, in large part because the Opportunity Zone does not include any of the Town's employment center-zoned lands and only a small portion of its commercially-zoned lands.

#### Town-wide Economic Development Planning Goals

- a. The Town seeks to attract and retain businesses of various sectors, industries, and sizes. The Town seeks to provide ample job and career opportunities for those living in Smyrna to also work in Smyrna without commuting elsewhere.
- b. The Town strives to become a regional employment and shopping center.
- c. The Town shall plan for (and construct) the timely and cost-efficient extension of municipal utility services to commercially-zoned parcels in the Town (particularly at the northern and southern municipal fringes along U.S. Route 13).
- d. The Town shall make efforts to retain and improve the overall quality of life to Town residents, to ensure that Smyrna is an attractive place to live, work, and shop.
- e. The Town shall attract and retain a talented workforce.
- f. The Town shall explore options to reinvigorate and/or repurpose the Smyrna Slum Clearance and Redevelopment Authority so that it better fulfills its mission to revitalize properties in the Town (particularly in the downtown commercial district). The Town should consider applying for grant and loan funding from USDA and other Federal and State agencies.
- g. The Town shall continue to complete necessary economic market analyses on a periodic basis to ensure that the Town is targeting the appropriate businesses and industry sectors.
- h. The Town shall continue to retain a business development consultant to assist businesses, developers, and property owners (particularly in the downtown commercial district) to locate or expand their business and to assist in the redevelopment of said properties.
- i. The Town shall continue to retain a marketing consultant(s) to assist in the branding and marketing of Smyrna and Town-sponsored events.
- j. The Town shall continue to partner with county and state economic development agencies to coordinate economic development efforts on a regional scale. The Town should continue to support and make a financial contribution towards the Kent Economic Partnership.
- k. The Town shall update and rewrite its 2014 Economic Development Strategy to include tangible and obtainable goals and objectives.

### Historic Downtown (Central Business District)

The revitalization and establishment of the historic downtown area as a center with a variety of activities (employment, shopping, restaurants, housing, and cultural activities) working together to create a visual and continual activity focus for Smyrna is a critical planning goal for the community. Development and redevelopment opportunities of substantial and modest sizes exist in the District and its immediate environs. The image, economy, and ambience of Smyrna would benefit greatly from the development of a more diversified and active downtown area.

In March 1980, the Delmarva Consortium funded Smyrna's first Downtown Development Plan, which was completed by Ben-Ami Friedman & Associates, Carla Hall Design Group, and the College of Urban Affairs & Public Policy at University of Delaware. It recognized that retail stores once located in the downtown were gradually moving to largescale suburban shopping centers on the periphery of Town. However, a survey of downtown businesses in 1980 still included (among others): an appliance store, a variety discount store, a hardware store, a pharmacy, two laundromats, a women's clothing store, four barber shops, two convenience stores, two banks, two lawyer's offices, and two insurance agents. At the time of the 1980 survey, only the former Smyrna theater and 1,600 sq. ft. at two downtown storefronts remained vacant.

Since the 1970's, Smyrna has witnessed a mass exodus of general retail businesses from its downtown commercial district. Some legacy businesses including Sayer's Jewelers, Smyrna Sporting Goods, Records-Gebhart Insurance, Fairies Funeral Home, and Matthews-Bryson Funeral Home remain in the downtown commercial district while most storefronts and commercial buildings have been converted to restaurants/entertainment uses or remain vacant. As of June 2020, 16 of Smyrna's 69 downtown storefronts were vacant equating to a 23% commercial vacancy rate. In the past decade, the former Smyrna Theater has been renovated and repurposed into the Painted Stave Distilling, 2 N. Main Street has been renovated into the Lemon Leaf Restaurant, 1 N. Main Street has been renovated into a bakery/luncheonette, and the former Wright Mansion has been renovated into a restaurant and wedding venue. Most of the 2<sup>nd</sup> and 3<sup>rd</sup> floor spaces in the downtown commercial district remain vacant and underutilized.

On August 10, 2016 the State of Delaware designated approximately 70.69 acres as a Downtown Development District. The District was expanded in 2017 to approximately 140.51 acres, was expanded again in 2018 to approximately 147 acres, and on March 23, 2020 to its present size of 160 acres. Smyrna's Downtown Development District roughly encompasses all those areas designated as 'Downtown Mixed Use' and most of the areas designated 'Downtown Residential' in the Future Land Use Map (Appendix D, Figure 3). As of the adoption of this Plan, the State has disbursed \$411,638 for seven (7) projects within Smyrna's DDD. More than a dozen additional eligible projects within the Downtown Development District are either under construction or in the planning stages.

The DDD program provides a cash rebate of 20% of the qualified expenses related to both the renovation of an existing building or for new construction (so long as the qualified investment

equals at least \$25,000). In addition, Kent County Levy Court provides a matching DDD cash rebate program, which matches the state rebate dollar-for-dollar up to \$1,500 for residential projects and \$10,000 for commercial/mixed-use projects. The town has strived with mixed results to also encourage development applicants in the downtown area to also apply for Federal and Delaware Historic Preservation Tax Credits in tandem with the DDD grant program.

The Town's third-party economic development consultant has maintained an up-to-date list of available commercial and office space in the downtown commercial district since 2012. As of the adoption of this Plan, the largest available vacant space includes approximately 27,000 sq. ft. of third-floor office space at the Smyrna Health & Wellness Center, approximately 6,000 sq. ft. of vacant retail/office space at 16 E. Mt. Vernon Street (former Salvation Army building), and approximately 2,000 sq. ft. of vacant office space at 229 N. Main Street.

#### Downtown Economic Development Planning Goals

- a. The Town shall strongly encourage the renovation and repurposing of the historic buildings in the Downtown Commercial District in keeping with the U.S. Secretary of the Interior Standards for the Rehabilitation of Historic Structures. New construction shall emulate the historic character and scale of the Downtown Commercial District.
- b. The Town shall encourage a variety and mix of residential dwellings, niche retail businesses, destination restaurants and uses, breweries/distilleries, offices, bed and breakfast establishments, and government uses and buildings. The Town encourages the transition of the downtown commercial district from general retail to an arts/entertainment/restaurant district.
- c. The Town seeks to activate and reinvigorate the Downtown with pedestrian activity and traffic beyond the 9 to 5 workday. Special attention should be given to promote the renovation of the many vacant 2<sup>nd</sup> and 3<sup>rd</sup> story spaces into apartment dwelling units.
- d. The Town shall continue to provide assistance to Downtown businesses, developers, and property owners to redevelop their buildings and properties, expand their businesses, find tenants for vacant spaces, and obtain local, state, and federal grants and tax credits.
- e. The Town strongly encourages the construction of an adequately sized library that meets the needs of the greater Smyrna community.
- f. The Town shall create a vibrant and attractive streetscape along the major thoroughfares of the Downtown, principally Main Street and Commerce Street.
- g. The Town shall assist the Smyrna Downtown Renaissance Association transition into a Certified Main Street Organization as a public-private organization and partner in the revitalization of the Downtown Commercial District.
- h. The Town shall coordinate with Downtown businesses and property owners to provide adequate paved parking to serve a variety of uses and businesses. The Town strongly encourages shared parking lots and areas rather than single-business lots/areas. In particular, the Town seeks to assist the Smyrna Health & Wellness Center provide additional overflow parking for its staff and customers.

## U.S. Route 13 Corridor

In July 2012, the Town of Smyrna partnered with the Dover/Kent MPO, the Delaware Department of Transportation, and the Delaware Office of State Planning Coordination to complete the Smyrna U.S. 13 Corridor Plan and Design Book. This Plan (crafted with the assistance of a third-party planning/engineering consultant) outlined scenarios and strategies for the redevelopment of the existing low-density suburban strip corridor into a higher-density mixed-use 'Main Street' corridor. The specific goals and objectives outlined in the 2012 Corridor Plan include:

- a.) Improve pedestrian connectivity both along U.S. 13 and crossing U.S. 13.
- b.) Develop an architectural theme along U.S. 13 that ties into the Smyrna Historic Downtown Commercial District.
- c.) Develop a streetscape plan along U.S. 13 to provide residents and visitors with a unique 'sense of place.'
- d.) Encourage future land uses that are compatible with the long-term vision for U.S. 13.

In 2013-2014, the Town adopted the North Corridor (NC) and South Corridor (SCZ) Zoning Districts, which allow higher densities and greater variety of uses on a smaller footprint along the Route 13 Corridor (although a comprehensive rezoning has yet to be completed). These zoning districts also require attractive landscaping, wide sidewalks, street trees, and appropriately scaled buildings built close to the street. This is all in an effort to beautify the Route 13 Corridor through Smyrna so as to provide a sense of uniqueness and identity and to ensure that Smyrna is an attractive place to live, work, and recreate – both objectives of the 2014 Smyrna Economic Development Strategy. As the first large project to use these new corridor zoning standards, located on a 3.4-acre property at 1165 S. Dupont Blvd, an existing one-story Papa Johns Pizza will now be joined by two 3-story mixed-use buildings and a 3-story apartment building to the rear (for a total of 12,000 sq. ft. of additional retail space and 48 apartment dwelling units). This project obtained approvals from the Planning Commission in 2019, and it is expected to begin construction in 2020. The adoption of the 2020 Smyrna Comprehensive Plan will result in the rezoning of almost all the Route 13 Corridor to a new consolidated Corridor Zoning District.

The Town currently has three shopping centers along Route 13 – Smyrna Mart Shopping Center, Gateway North Shopping Center, and the Simons Corner Shopping Center. Each of the before-mentioned shopping centers have vacant pad sites available. In the near term, the approximately 43.7 acres at the intersection of S. Carter Road and Route 13 represents the largest contiguous commercially-zoned vacant land along the Route 13 Corridor. In the long-term, the Town's annexation area includes approximately 54 contiguous acres at the intersection of Brenford Road and Route 13 at the southern periphery and approximately 34 acres (known formally as the Adams Farm) north of the DE Route 1 and Route 13 crossover at the northern periphery.

### Route 13 Corridor Economic Development Planning Goals

- a. Using data from the Demographic & Opportunity Gap Analysis, the Town seeks to attract additional retail sectors and businesses to Smyrna so that its residents do not have to travel to Dover, Middletown, or Wilmington for basic household goods.
- b. The Town seeks to attract multiple retailers of the same sector and type so as to provide greater shopping choices to residents of the greater Smyrna area.
- c. The Town seeks to take advantage of its location along the DE Route 1 Corridor to become a regional destination retail center.
- d. The Town seeks to transform the existing low-density strip commercial Route 13 Corridor into an attractive mixed-use and pedestrian-friendly corridor with a higher-density 'Main Street' feel. The Town strongly encourages residential apartment dwellings above 1<sup>st</sup> floor retail and office uses along the Route 13 Corridor, along with higher-density townhouses and apartment buildings incorporated together within walking distance. The Town strongly encourages residential uses to be incorporated into existing single-use commercial shopping centers.
- e. The Town strives to improve the streetscape of the Route 13 with adequate pedestrian connections and paths, pedestrian-scaled lighting, street trees, and appropriately scaled signage. The Town shall update and revise the Corridor Zoning District standards to better meet the intent of the 2012 Corridor Plan.

### Employment Centers

Employment Centers are areas specifically identified to be developed with the specific goal of providing office or industrial space to accommodate employers. Employment Centers include the approximately 95-acre Smyrna Business Park, the 189-acre Walmart Distribution Center, the 206-acre Duck Creek Business Campus, and a small and decreasing number of legacy smaller industrial-type uses and buildings in and adjacent to the historic downtown of Smyrna. While both are commercially zoned, the Bayhealth Emergency Center on Carter Road and the Smyrna Health & Wellness Center are among the largest employers in Smyrna, whose presence providing comprehensive and quality health care services is vital to attracting and retaining businesses and a talented workforce.

The Smyrna Business Park is nearly built-out and includes only four vacant small lots totaling 9.4 acres. The 206-acre Duck Creek Business Campus is vacant but was recently equipped with public utilities and is now shovel ready. This 29-lot business/industrial park is owned and managed by the Maryland-based KRM Development Corporation, which plans to construct (and continue to own) spec-built buildings of varying sizes to suit employers and tenants who locate to the Duck Creek Business Campus. The Town recognizes that the Duck Creek Business Campus will be the primary economic driver and employer as it builds out over the next 20-30 years. Its build-out will significantly grow the Town's property tax base to help offset the Town's dependency on residential uses to pay for various municipal services. With municipal-owned utilities (water, sewer, electric) in Smyrna, the attraction of potential manufacturing/research/bio-tech/pharmaceutical uses which generate significant water/sewer usage and/or consume high

volumes of electricity into the Duck Creek Business Campus will in turn also help to offset the cost of these municipal utilities throughout the entire Town and utility system.

#### Employment Centers Economic Development Planning Goals

- a. The Town strives to market its location directly off DE Route 1 and only 30 minutes from Wilmington and the I-95 Corridor to attract a mix of light manufacturing, warehouse and distribution, bio-tech, pharmaceutical, and other comparable businesses from the Wilmington-Philadelphia-South Jersey labor market.
- b. The Town seeks to retain its existing businesses and employers (both public and private) and maintain a close relationship between the Town and said employers.
- c. The Town shall partner with county, state, and federal economic development agencies to both market Smyrna's favorable location and to offer financial incentive packages to attract new businesses (and allow existing businesses to expand). The Town shall periodically evaluate its economic development financial incentives to ensure that they remain effective and cost-effective in attracting new businesses and jobs to Smyrna.
- d. The Town strives to retain and expand the number of health-care related jobs and services within Smyrna. Specifically, the Town seeks to attract those medical services that, are not currently offered and located within Smyrna. The Town recognizes that easy access to quality health care serves as a magnet to attract quality businesses and a talented workforce.
- e. Recognizing Smyrna's location surrounded by large swaths of fertile farmland (much of it under permanent preservation), the Town encourages agricultural-related support and food processing businesses to locate within the Town.
- f. The Town seeks to partner with the Smyrna School District, Delaware Technical Community College, and other area educational institutions to ensure that technical and career education is offered locally to provide area employers with an adequate and talented workforce.



## SECTION 9 - HOUSING PLAN

Smyrna is fortunate to have a well-balanced inventory of housing opportunities in both its historic core and throughout the entire community. In 2019, for example, building permits were issued for 60 new single-family dwellings, 60 new townhouse units, 38 new duplexes, and 6 new manufactured home dwellings. In addition, 318 apartment units were recently approved by the Planning Commission as part of two mixed-use projects along the Route 13 Corridor. Of those projects underway in the community, choices range from upscale single-family dwellings to more modest homes, townhouses, apartments, and manufactured dwellings addressing a wide range of housing needs and prices. Nevertheless, the Town is committed to ensuring that housing choices are available for residents of all ages, income, and household size. The Delaware State Housing Authority recently completed renovations to their two publicly owned housing projects in Smyrna, McLane Gardens (50 dwelling units) and Peach Circle Apartments (32 dwelling units). In addition to these public housing projects, the following private housing projects have received Low Income Housing Tax Credits to provide either workforce (low income) or subsidized (very low income) housing opportunities:

	Population Type	Housing Type	Total Units	Year of Construction
Commerce Square Apartments	Family	Workforce	80	1991
Frazer Place I	Elderly	Subsidized	30	1992
Frazer Place II	Elderly	Subsidized	24	2000
Heron Run Apartments	Family	Subsidized	40	1987
Smyrna Garden Apartments	Family	Workforce	71	1995

In 2014, the Town adopted the NC – North Corridor and SCZ – South Corridor Zoning Districts, which among other things permit the construction of apartment buildings, townhouses, and mixed-use buildings (1<sup>st</sup> floor retail/office with 2<sup>nd</sup>/3<sup>rd</sup> floor residential) in what was previously solely a commercial zoning district.

The Town encourages the renovation of existing downtown structures for first floor retail and affordable rental and/or owner-occupied housing on second and third floors. Rental housing in the Town of Smyrna is subject to regular inspection and approval whenever tenants change; hence the Town is able to address housing problems through that program as well as through its code enforcement activities.

### Redevelopment

In July of 2004, Town Council created the Smyrna Slum Clearance and Redevelopment Authority (SDRA). Previous Comprehensive Plans stated that the Town Council was following a community planning process to designate four or five redevelopment areas to target redevelopment efforts

and funding. For unknown reasons, this project has never been completed. The Town Council subsequently created a Façade Matching Grant Program in 2005 for both residential and commercial property owners, but applicants for said program are not limited to the Historic Preservation Overlay District or any other defined area of the Town. This program has been explained in further detail in Section 7 – Economic Development. In 2015, the Town obtained \$300,000 in funding from USDA Rural Development, which was used by the SDRA to create a revolving loan fund to rehabilitate downtown buildings and businesses (which was also explained in full in Section 7). To date, no loans have been disbursed by the SDRA to rehabilitate existing housing/mixed-use buildings or construct new housing (although it could legally be used for said purpose).

While it has the legal power to do so, the SDRA has not, to date, purchased blighted properties to renovate and/or resell to third parties as other redevelopment authorities have done in Delaware and nationwide. Meanwhile, the Town of Smyrna has condemned and demolished \_\_\_ dwellings and structures since 20\_\_ in an effort to reduce blight, particularly in older downtown neighborhoods.

The Town of Smyrna participates with the Kent County Department of Community Development’s Housing Repair Program. Utilizing pass-thru grant funding from the U.S. Department of Housing and Community Development’s Community Development Block Grant Program (CDBG), this County program provides grants of up to \$25,000 for the repair and renovation that bring homes owned by low-income households up to housing code standards. Qualified low-income households in Smyrna compete with other households from across the County on a first-come first served basis. In FY2019, the County Department of Community Development has awarded grant funding to the following five (5) properties in Smyrna, while eighteen (18) Smyrna property owners remain on the waiting list for funding:

Address	Grant Amount
117 N. East Street	\$6,100
127 Collins Avenue	\$19,648
118 New Street	\$5,599
5 Drexel Court	\$24,950
378 Braddock Road	\$18,830
TOTAL:	\$75,127

### Summary

Important housing goals include the development and maintenance of a wide range of housing opportunities, varying in type, size and densities but not physically segregated according to those attributes, provision of adequate housing opportunities for the elderly and handicapped, and provision of adequate housing opportunities for the low and moderate income households of the community.

### Housing Goals and Objectives:

- a. Ensuring that a sufficient amount of land is zoned for residential development of various types and densities through a frequent periodic review of development activity and practices.
- b. Encouraging a mix of housing types and sizes throughout the community through a program of development options built into the zoning district requirements. To the greatest extent possible, residential housing projects should not be segregated by housing type. Low-income housing projects shall not be clustered together as was previously done along E. Commerce Street/Frazier Street east of U.S. Route 13.
- c. The Town strongly encourages that new residential projects include a mix of housing types and lot sizes. Residential housing types are encouraged to be appropriately interspersed throughout projects and streets as opposed to being segregated in separate neighborhoods.
- d. Developing a program in conjunction with state and county agencies to identify, determine causes, address housing blight and deterioration and to eliminate barriers to restoration.
- e. The Town shall partner with the Kent County Department of Community Development and the Delaware State Housing Authority to educate Smyrna residents about housing repair/rehabilitation programs and assistance programs available to low income and very income households.
- f. The Town shall explore creating a funding mechanism for the Smyrna Slum Clearance and Redevelopment Authority to purchase, renovate, and re-sell blighted properties and buildings in Smyrna.
- g. The Town shall consider targeting façade grants and other redevelopment funding and loans available to blighted areas identified in a new study proposed by this Comprehensive Plan.
- h. The Town strongly encourages the rehabilitation and renovation of its existing substandard housing stock, particularly in downtown residential neighborhoods, using Downtown Development District rebate funding, State/Federal Historic Preservation Tax Credits, and other housing assistance grant, loan, and tax credit programs.
- i. The Town shall review and consider revising regulations in the Town Code pertaining to housing to ensure that the Town Code does not disproportionately and negatively affect protected classes and is in compliance with the Federal Fair Housing Act.

## **SECTION 10 - ENVIRONMENTAL PROTECTION, OPEN SPACE AND RECREATION PLAN**

### Environmentally Sensitive Resources & Natural Resources

The primary goal of this chapter is to ensure that new residential, commercial, and employment center development may occur while both protecting environmentally sensitive areas and wildlife habitat, and ensuring that adequate open space and recreational amenities are provided for Town residents. The Town recognizes the importance of preserving its natural resource areas (both inside and outside the municipal boundaries of the Town) and the role that these lands contribute to the overall quality of life to Smyrna residents.

Smyrna's early 18<sup>th</sup> and 19<sup>th</sup> growth and prosperity is tied to its role as a grain (and later fruit/vegetable) shipping center, associated with its location along the banks of Duck Creek only six miles from the Delaware Bay. The Town is located entirely within the Atlantic Coastal Plain with elevations less than 50 feet above sea level. Despite its coastal location, the historic core of Smyrna is situated high on the banks of Duck Creek, and well outside the designated floodplain. In its more than 250-year history, no significant flooding events have been documented for the Town of Smyrna. The Town of Smyrna is generally surrounded by well-drained and productive farmlands, which are bisected by Duck Creek and Mill Creek (and a series of smaller streambanks and tributaries). The Town of Smyrna lies almost completely within the Smyrna River Watershed, although a small portion in the vicinity of Brenford Road is within the Leipsic River Watershed. Both are part of the Delaware Bay Drainage System. The Delaware Bay coastline, approximately six miles distant, is dominated by low-lying tidal marshlands that extend more than a mile inland.

Protection of environmentally sensitive areas within the urbanizing area takes place on several levels. The Federal flood insurance mapping program and the relationship of this to lending practices for construction has a strong effect on limiting construction within flood-prone areas. The Town of Smyrna has participated in and met the requirements thereof of the National Flood Insurance Program since June 1, 1977. Mature forests in the Smyrna area most often exist because they could not be efficiently tilled for agricultural production and are in most instances poorly drained and classified as a nontidal wetlands. The municipal boundaries of Smyrna encompass approximately 30.3 acres of tidal wetlands and 428.86 acres of non-tidal wetlands, primarily along Duck Creek and Mill Creek. By clustering new development, woodlands, steep slopes and flood-prone areas may be reserved and the costs of providing utilities to the dwellings may be reduced.

According to the 2015 Delaware Wildlife Action Plan, several areas in the greater Smyrna vicinity are classified as Mesic Mixed Hardwood Forest or Early Successional Herbaceous Habitat. Mesic Mixed Hardwood Forest is characterized by a mix of tulip poplar, beech, oaks, and hickory trees. It is the common forest type in Delaware for wood thrush, red-shouldered hawk, Eastern whip-poor-will, Eastern box turtle, and worm-eating warbler among others. Early Successional Herbaceous habitat consists of unmanaged grassland in post agricultural areas. These habitats

are rare and have special significance in Delaware. They are particularly sensitive to disturbance and may have a high diversity of rare plants and species which may include the possible presence of the federally listed bog turtle.

As a matter of Town policy, developers shall be required to submit more detailed field studies of specific parcels as required in the zoning or subdivision codes when submitting development proposals that might impact the Town's environmentally sensitive resources. By this requirement, developers will become more aware of the need to protect these scarce resources resulting in better planning and design solutions.

### Smyrna Code Requirements

In 1993, the Smyrna Town Council adopted and created the Environmental Protection Overlay District (EPOD). The purpose of this overlay district is to restrict development within the 100-year floodplain, in flood-prone soils, areas of mature woodlands, steep slopes, areas of high groundwater, and areas of highly erodible soil. EPOD areas require preparation of an environmental impact assessment as set forth in Section 5.12 of the Zoning Code. The assessment report and site review include consideration of beneficial and adverse impacts, alternatives to the proposed use or design, measures to mitigate adverse effects and the extent to which irreversible environmental impacts might occur.

The Environmental Protection Overlay District also includes a specific Flood Plain Subdistrict which severely restricts new development within the delineated 100-year floodplain and/or requires structures built within said floodplains to be floodproofed in accordance with applicable sections of the Town Code. However, this floodplain subdistrict was superseded in 2014 by a standalone Floodplain Management Ordinance as outlined in Appendix C of the Smyrna Town Code. This ordinance is based on model ordinance language from DNREC and FEMA.

The 100-year floodplain is identified by FEMA as a Special Flood Hazard Area (SFHA) and defined as the area determined to have a 1-percent chance of being inundated by a flood event in any given year. The SFHA have been depicted on the Flood Insurance Rate Maps (FIRM) as A or AE in the Smyrna vicinity. The municipal boundaries of Smyrna encompass six FIRM maps that have been revised and adopted by FEMA between 1996 and 2020. The overwhelming majority of the 100-year floodplain in Smyrna is located along either Duck Creek or Mill Creek. Fortunately, the historic core of Smyrna (and all newer development) is located well outside of this area. Only six residential dwellings, one mobile home trailer, and two commercial structures within Smyrna are located within the 100-year floodplain. The Landings at Duck Creek Mobil Home Park is located entirely within the 100-year and 500-year floodplain. A significant portion of the flood prone areas in Smyrna are on lands owned by the State or Town (i.e. The Lindens, George C. Wright Sr. Municipal Park, Mill Creek Park, Lake Como Park, etc.).

The Environmental Protection Overlay District ordinance, because it has been unaltered since its original adoption in 1993, contains outdated terminology and guidance that should be updated and corrected as part of this Comprehensive Plan Update. The delineation of these

environmental variables outlined in the ordinance have also not been updated since the adoption of this ordinance in 1993.

### Natural Features

Areas are identified in the plan and include lands within flood plains, areas with a very highwater table, and wooded areas, which are scarce in the Smyrna area (Appendix D, Figure 13 and 14).

The goals for conservation areas are to encourage the protection of the natural environment of the Town and its surrounding area and to prevent destruction of property as the result of ecological negligence or abuse. To achieve these goals, the zoning code and subdivision ordinance have been strengthened to regulate development in areas designated as conservation areas and in areas of extreme environmental sensitivity.

The development pattern recommended by this Plan will contribute significantly to the preservation of natural areas, but other tools are necessary to enforce this pattern and to protect environmentally sensitive areas on the urbanizing fringe. Cluster development techniques when sensitively applied are a principal means of protection of woodlands and flood-prone areas. A number of areas along Duck Creek (the Smyrna River) are already protected by public ownership and development for parks and recreational uses. This pattern should be encouraged as well along Green's Branch, where significant parcels of developable land abut both sides; clustering of new development would allow for the stream valley and adjacent woodland to be preserved for recreational and scenic use while held in private ownership.

A portion of the area designated as Business and Commercial on the north side of Duck Creek between Route 13 and DE Route 1 contains land identified as the Lower Delaware River State Resource Area. State Resource Areas are comprised of lands that contain a variety of natural, cultural and open space resources significant to the state, and include lands held in conservation by various groups as well as lands targeted for conservation and preservation efforts. Consideration will be given to protecting these resources during the design and construction of any future projects, as these areas will be subjected to the Environmental Protection Overlay District prior to annexation.

In 2003, the Smyrna Town Council created the Shade Tree Commission ("STC"). Consisting of six members appointed by the Mayor, the mission of the Shade Tree Commission is – "to educate the public about the benefits of trees and their proper care, develop specific projects relating to the planning, management, care, planting and preservation of trees in the community forest, and for the beautification of the town." By the terms of Section 74 of the Town Code, the duties of the STC include completing a street/park tree inventory, developing a street/park tree master plan, advising the town manager on applicable grants and funding to plan, plant, or preserve street/park trees, and educating the public about the benefits of trees and their proper care. As of the adoption of this Plan, the STC has started, but has not completed a town-wide street/park tree inventory. In 2016, the STC relaunched its '1,000 Trees for Smyrna' program as a ten-year

project to plant one thousand trees within the Town. As of 2020, the STC has planted, assisted, or coordinated the planting of 102 trees since restarting the program in 2016.

In accordance with Section 5.17 of the Smyrna Subdivision and Land Development Ordinance, new development projects are required to complete a tree planting plan to ensure that the property has a tree density of at least one tree per 3,000 sq. ft. in lot area. This provision also allows for the Shade Tree Commission to issue a partial waiver for this requirement. In 2020, the Town of Smyrna allocated funding to hire a trained arborist to both assist the STC with their duties, and also to provide guidance to developers and property owners regarding tree and landscape plantings in the development review process.

#### Total Maximum Daily Loads (TMDLs)

Under Section 303(d) of the 1972 Federal Clean Water Act (CWA), states are required to identify all impaired waters and establish total maximum daily loads to restore their beneficial uses (e.g., swimming, fishing, drinking water and shellfish harvesting). A TMDL defines the amount of a given pollutant (i.e., or the pollutant loading rate reduction for a given pollutant) that may be discharged to a water body from all point, nonpoint, and natural background sources, thus enabling that water body to meet or attain all applicable narrative and numerical water quality criterion (e.g., nutrient/bacteria concentrations, dissolved oxygen, and temperature) in the State of Delaware's Water Quality Standards. A TMDL may also include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting in water quality.

In simplistic terms, a TMDL matches the strength, location and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate that pollutant without adverse impact. The realization of these TMDL pollutant load reductions will be through a pollution control strategy (PCS). A Pollution Control Strategy (PCS) is the regulatory directive that identifies what specific actions (e.g., best management practices) are necessary for reducing pollutants in a given water body (or watershed); thus realizing the water quality criterion or standards set forth in the State of Delaware's Water Quality Standards – ultimately leading to the restoration of a given water body's (or watersheds) designated beneficial use(s). The PCS will also include some voluntary or non-regulatory components as well.

The Town of Smyrna is located almost entirely within the Smyrna River Watershed. Encompassing more than 38,000 acres, nearly 55% of the Smyrna River Watershed is in agricultural production while wetlands constitute approximately 18% and forests cover 9.5%. Less than 15%, or 2,442 acres, of the area in the Smyrna River Watershed is urbanized land, and almost all of this is within the municipal boundaries of Smyrna and Clayton. In 2006, DNREC developed and later adopted the Smyrna River Watershed TMDL, which can be accessed directly from: [http://www.dnrec.delaware.gov/swc/wa/Documents/TMDL\\_TechnicalAnalysisDocuments/6\\_SmyrnaTMDLAnalysis.pdf](http://www.dnrec.delaware.gov/swc/wa/Documents/TMDL_TechnicalAnalysisDocuments/6_SmyrnaTMDLAnalysis.pdf). Since Smyrna (and Clayton) sewer service is connected to the Kent County system, there are no point sources in the municipal boundaries of Smyrna and only one in the entire watershed (Hanover Foods). This TMDL mandates a 40% reduction in non-point

nitrogen and phosphorus loadings and a 75% reduction in non-point enterococcus bacteria from the 2002-2003 baseline levels.

The Town of Smyrna is connected to and served by Kent County's Regional Wastewater Treatment Plant, located in Frederica, DE, and that plant is subject to a Total Maximum Daily Load (TMDL) requirement. Previously, the Town of Smyrna operated its own wastewater treatment plant until 19\_\_ when the Town connected to the County system, after which the Town subsequently shut down its plant. This regional sanitary system consists of more than 550 miles of gravity sewers and force mains and 102 pump stations, which serves \_\_ municipalities and the unincorporated areas of Kent County. The Kent County regional wastewater plant operates under a NPDES permit for discharge of treated water in the Murderkill River issued by DNREC in accordance with the Federal Clean Water Act. In 2016, this plant was upgraded to both improve performance (i.e. reduce nutrient loadings) and increase capacity to up to 20 million gallons per day. As part of its contractual agreement with Kent County, the Town of Smyrna charges impact fees to each new EDU constructed in the town to help pay the debt service for these upgrades to the County wastewater treatment plant and system.

#### Water Resource Protection Areas

The State of Delaware Source Water Protection Law of 2001 requires local governments with year-round populations of 2,000 or greater to implement measures to protect the quality and quantity of public water supplies within delineated surface water, wellhead, and groundwater recharge areas by 2007. In March 2004 (revised May 2005), the Delaware Water Resources Agency released its 'Source Water Protection Guidance Manual for Local Government of Delaware' which provides guidance and templates for local governments towards meeting the before-mentioned section of State law. This document also provides maps of all wellhead protection areas developed by the Delaware Water Resources Agency. Meanwhile, excellent recharge areas are designated for having excellent potential for groundwater recharge. Excellent groundwater recharge areas were determined from a grid well completion reports and soil boring logs. Soils with excellent recharge potential consist mostly of sand and material coarser than sand with a trace (0 to 10%) of silt or clay. The Delaware Geological Survey (DGS) delineated all excellent groundwater recharge areas in New Castle County in 1993 and in Kent and Sussex Counties in 2002. Both the wellhead protection areas and the excellent groundwater recharge areas are shown on Exhibit \_\_ of this Plan.

In 1998, the Town of Smyrna adopted its first ordinance creating a Wellhead Protection Overlay District (WPOD), which prohibited certain uses including hazardous materials and underground storage tanks within 500 ft. of public wellheads. This ordinance was deemed by DNREC to be not in compliance with Delaware State Law following the 2012 Comprehensive Plan Update. In 2012, the Smyrna Town Council repealed the beforementioned WPOD and created a new Source Water Protection Area (SWPA) which encompasses both the state-designated wellhead protection areas and excellent groundwater recharge areas. This ordinance limits impervious coverage to 20% of total site area, while allowing site coverage up to 50% if an Environmental Impact Assessment Report ("EIAR") concurs that impact to the before-mentioned water resources is



minimal. This ordinance requires large development projects to complete an EIAR assessment and determine the impacts of new development on both the wellhead protection areas and excellent groundwater recharge areas. In designated excellent groundwater recharge areas, redevelopment projects are required to create a 15% net reduction in impervious surfaces unless the site already has less than 20% total impervious coverage. The designated Source Water Protection Area in Smyrna encompasses 886.68 acres or 22% of the total land area of the Town, including almost the entirety of the historic downtown core and significant commercial areas along U.S. Route 13. The Town intends to continually monitor the effectiveness and appropriateness of the Town's water resource protection regulations and adjust those regulations, as permitted by the laws of the State of Delaware, to satisfy the goals and intent of this Comprehensive Plan.

### Brownfields & Environmental Remediation

A Brownfield is defined by the U.S. Environmental Protection Agency as “a property for which the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.” Since 1994, this voluntary program has provided grant and loan funding to private developers to redevelop and clean up contaminated sites. While it is a Federally funded program, DNREC is the state coordinating organization which administers the program in Delaware. Since 2002, 342 sites in Delaware and four (4) in Smyrna have been successfully remediated and redeveloped achieving status as a Certified Brownfield Site. The following ten (10) sites have either been redeveloped or are in a state under or awaiting remediation:

State Tracking#	Site Name	Address	Status	Acreage
DE-0127	Ennis Dump	First Avenue	Certified Brownfield	22.5 acres
DE-1020	Carter Homes	1 <sup>st</sup> Ave & North St	State of Remediation	
DE-0110	Litton Industries	370 N. Main St	State of Remediation	5.32 acres
DE-0080	Duck Creek Pond Dump	700 Duck Creek Pkwy	State of Remediation	9.15 acres
DE-0128	Mill Street Dump	Mill Street & S. East St	State of Remediation	6.7 acres
DE-0189	Smyrna Coal & Gas	210 S. Main St	State of Remediation	0.55 acres
DE-1424	00 Mount Vernon	339 Mt Vernon St	Certified Brownfield	0.54 acres
DE-1357	Lexington Ave Property	Lexington Avenue	Certified Brownfield	
DE-0119	Delaware Hospital for Chronically Ill	100 Sunnyside Rd	State of Remediation	57.10 acres
DE-0043	Metal Masters	655 W. Glenwood Ave	Certified Brownfield	11.14 acres

The Delaware Brownfields Development program provides grant funding both to investigate and identify contaminated sites and facilities, but also for the capital costs to actually remediate and redevelop said sites and facilities. DNREC also maintains an interactive Brownfields Marketplace, which is a database of Brownfield sites from across the State which are for sale. The redevelopment of these often vacant and underutilized sites creates additional jobs and/or housing opportunities and boosts the assessed value of said properties (and in turn property tax

revenues). The Town of Smyrna strongly encourages owners of suspected or known contaminated sites and facilities to apply for funding under the Delaware Brownfields Development program.

### Farmland Protection

This Plan, for the first time, seeks to create an urban growth boundary to limit the extension of municipal growth, development, and utility services. Since its creation by the Delaware General Assembly in 1991, the Delaware Agricultural Lands Preservation Foundation (DALPF) has used permanent conservation easements to protect 10 parcels (totaling 1,084.85 acres) that directly border Smyrna's municipal boundary, while an additional 5 parcels (totaling 367.8 acres) on the Town's municipal border have enrolled in 10-year Agricultural Preservation Districts. This includes the 191.66-acre Blendt Farm, owned by Delaware State University as an agricultural research farm, which is actually located within the Town's municipal boundaries, and protected by a permanent agricultural easement (the only DALPF easement located within a municipality). By default, these protected lands limit the expansion of Smyrna's municipal boundaries east of DE Route 1 or to the southwest along Sunnyside Road. Going one step further, this Plan identifies 10 parcels totaling 2,095.27 acres on the periphery of Smyrna's municipal boundary that the Town would like to see permanently protected. In addition to DALPF, both New Castle County and Kent County Levy Court have created and adopted Transfer of Development Rights programs to protect farmland at the local level, but neither program has protected lands near Smyrna.

### Public and Private Recreational Facilities

Public parks and recreation facilities are presently concentrated along Duck Creek Parkway and North Main Street to the north and northwest of Town, and in the vicinity of Lake Como in the south-central part of Town as shown on Appendix D, Figure 15. This includes a variety of passive open space and active recreational parks. Lake Como provides water-based recreation as well as scenic beauty to the town. Big Oak Regional Park just south of town, further assists in meeting the overall recreation needs of the area. South of Lake Como, two smaller town-owned neighborhood parks have been established within various residential subdivisions. Additional neighborhood parks and recreational areas are expected to be constructed in coming years, especially as part of the Graceville and Watson Farm residential subdivisions.

#### 1. Public Open Space

The Town of Smyrna currently owns and manages eleven (11) parks and properties encompassing 145.87 acres. Some of the town-owned lands have been outfitted and maintained as parks including the George C. Wright Sr. Municipal Park and the Smyrna-Clayton Little League Fields, while others, including the Mill Creek Park and the town yard waste disposal site along Duck Creek Road remained vacant and undeveloped. To date, the Town does not operate a formal Parks & Recreation Department to coordinate and manage recreational activities, although the Public Works Department is responsible for all maintenance of said Town-owned parks. In addition, an 8-member Parks & Recreation Committee appointed by the Mayor serves in an

advisory capacity to the Town Council. The Town currently partners with various community non-profits to provide recreational activities and services on Town-owned lands. This includes the Smyrna-Clayton Little League and Smyrna-Clayton Little Lass, which jointly manage the baseball and softball fields along Duck Creek Parkway, and the Smyrna-Clayton Boys & Girls Club, which manages and provides recreation services out of the former Delaware National Guard Armory on E. Commerce Street. Since the adoption of the 2012 Smyrna Comprehensive Plan, the Town has purchased and constructed a 0.02-acre pocket park on W. Commerce Street, has acquired two vacant wooded parcels along Mill Street (Mill Creek Park), has replaced playground equipment in numerous town parks, added fountains/bubblers at the Lake Como Park, and installed the Pearl Harbor monument at Lake Como Park.

In addition, the Smyrna School District provides public access to playgrounds, tennis courts, and playing fields at the six school sites that they own within the municipal boundaries of Smyrna.

The State of Delaware owns four open space and/or recreational properties in Smyrna. This includes Belmont Hall and The Lindens, which are managed by the Division of Historical & Cultural Affairs, the Smyrna Rest Stop and Information Center managed by DelDOT, and a small 4-acre conservation area along DE Route 1 managed by the Division of Fish & Wildlife. While it is not actually within the municipal boundaries of Smyrna, Kent County Levy Court owns and manages the 88.61-acre Big Oak County Park, which includes numerous ballfields, pavilions, and picnic areas.

In the greater Smyrna area, the Delaware Division of Fish & Wildlife owns and manages the Cedar Swamp Wildlife Management Area and Woodland Beach Wildlife Management Area, while the U.S. Fish & Wildlife Service owns and manages the Bombay Hook National Wildlife Refuge. These large public parks provide significant opportunities for active and passive recreation and help to positively contribute to quality of life of Smyrna.

Town-Owned Facilities:

<u>Facility Name</u>	<u>Location</u>	<u>Acres</u>	<u>Features</u>
Bon Ayre Park	Applebery Drive	6.34	Passive Open Space
Downtown Pocket Park	W. Commerce St.	0.02	Pedestrian Seating
Duck Creek Greenway	Duck Creek Road	29.83	Vacant/Town Yard Waste Disposal
Gardenside Park	S. Carter Road	7.24	Passive Open Space
George C. Wright, Jr. Municipal Park	N. Main Street	44.66	Basketball Courts, Softball Fields, Skateboard Park, Playground Equipment, Picnic Tables, Covered Picnic Area, Gazebo, Restrooms
Green Meadows Park	N. Albright Drive	1.39	Basketball Court & Playground Equipment
Lake Como Park	333 S. Main Street	3.03	Beach & Swimming Area, Boat/Kayak Ramp, Playground Equipment, Pavilions, Picnic Tables
Mill Creek Park	Mill Street	13.66	Passive Open Space
Smyrna-Clayton Little League	887 Duck Creek Pkwy	30.78	Baseball & Softball Fields, Pavilion
Smyrna-Clayton-Boys & Girls Club	240 E. Commerce Street	2.93	Indoor & Outdoor Basketball Courts, Soccer Field, Playground, Table Hockey & Billiards
Sunnyside Park	Alfalfa Court	5.99	Playground Equipment & Paved Walking Trail

State-Owned Facilities:

<u>Facility Name</u>	<u>Location</u>	<u>Acres</u>	<u>Features</u>
Historic Belmont Hall	217 Smyrna Leipsic Road	27.12	Wedding Venue and Conference Facility
Duck Creek Impoundment	Duck Creek Landing Road	4.07	Vacant Lands
Smyrna Rest Stop	550 Dupont Pkwy	60.9	Rest Stop with Public Restrooms, Playground, Pavilions, Picnic Area, Paved Walking Trails
The Lindens	652 N. Main Street	19.26	Historic Mill House

## 2. Private Open Space

Private open space is necessarily planned in conjunction with conservation areas. Private open space is required as part of new residential developments and in areas where it must be set aside to control storm water runoff, and it is considered a critical feature within planned unit development or cluster developments. Density bonuses and other options should be offered for the provision of common private open space to be shared by owners and renters in cluster developments.

The largest private conservation areas include the 192-acre Delaware State University Research Farm east of DE Route 1 and the 22.89-acre Animal Humane Sanctuary along the southern shore of Duck Creek. Private recreational and cultural amenities include the Smyrna Swimming Club along S. Carter Road and the Smyrna Museum along S. Main Street.

### Wetlands Regulatory Jurisdictions

Regulatory Protection of wetlands is mandated under the provisions of the Federal Clean Water Act (Appendix D, Figure 14). Tidal wetlands are accorded additional regulatory protection under Title 7 Chapter 66 provisions of the State of Delaware's Code. Compliance with these statutes may require an Army Corps of Engineers approved field wetlands delineation and/or DNREC approval.

As set forth in the Smyrna Subdivision and Land Development Ordinance, all tidal and non-tidal wetlands must be delineated as part of all subdivision plans. This ordinance also prohibits the development of certain natural features including but not limited to large stands of trees and forest, wetlands, water courses, and historic landmarks.

### Environmental Protection Planning Goals

1. The Town shall continue to implement special controls over development in environmentally sensitive areas to minimize the destructive development of areas of wet soils, woodlands, and other important habitat, and to coordinate with the Kent Conservation District to ensure that adequate storm water management and sediment and erosion control measures are followed unless proper safeguards and standards are in place (as set forth in the Town's Zoning Code). To this end, the Town shall update and/or rewrite the Environmental Protection Overlay District.
2. The Town shall continue to limit new development within the designated 100-year floodplain. Where possible, the Town shall partner with State and Federal agencies to either assist homeowners floodproof their dwellings or to demolish or remove said structures entirely from the 100-year floodplain.
3. The Town seeks to complete a Smyrna Open Space Master Plan to: identify potential properties to be purchased or protected (for either passive or active recreation), and to outline improvements to be completed by the Town in existing and proposed open space areas. (Note: The existing 2012 Plan, which includes language from as far back as 2002,

references an Open Space Master Plan, but the location and contents of the Plan are unknown.)

4. The Town shall revise the Subdivision and Land Development Ordinance to ensure that environmentally sensitive areas are permanently protected with conservation easements as part of new residential subdivisions and commercial site plans wherever practicable. Adequate buffers should be established where applicable to protect wetlands, steep slopes and highly erodible soils, waterways, and other environmentally sensitive features.
5. The Town shall review and refine the tree planting, landscaping, buffering, and open space standards in both Zoning Ordinance and Subdivision and Land Development to ensure that they meet the intent of this Section.
6. The Town seeks to enhance the urban canopy by planting (and re-planting) new trees throughout the Town, especially in the historic downtown and in commercial shopping and retail areas. The Shade Tree Commission shall coordinate the planting of a thousand trees by 2026 as outlined in their '1,000 Trees for Smyrna Program.'
7. The Town shall partner with DNREC, Kent County Levy Court, New Castle County, and other local partners to implement and meet the standards and benchmarks set forth in the Smyrna River TMDL.
8. The Town encourages the use of shared parking areas, permeable pavers, and other best management practices to reduce impervious surfaces in designated Wellhead Protection Areas and Excellent Groundwater Recharge Areas.
9. The Town encourages the owners of known or suspected contaminated sites and facilities to apply for funding through the Delaware Brownfields Program to remediate and redevelop said properties.

#### Open Space and Recreation Planning Goals

1. New residential, commercial, and mixed-use development projects shall be required to provide adequate open space and recreational areas. Emphasis shall be placed on usable open space amenities. The Town shall revisit its formulas for new open space to ensure that they meet the intent of this section.
2. The Town shall update its 2007 Master Parks Plan to outline what improvements and amenities will be added or constructed on existing Town-owned parkland, and to provide strategies for the targeted acquisition of additional parkland and facilities.
3. The Town shall explore creating a stand-alone Municipal Parks & Recreation Department under the auspices of the Town to provide and coordinate recreational activities within the Town.
4. The Town shall work with the State of Delaware to take ownership of the portion of those lands currently used for the Delaware Hospital for the Chronically Ill that the General Assembly approved transferring to the Town of Smyrna in Senate Bill 146 of the 150<sup>th</sup> General Assembly to provide additional vehicular parking for the adjacent public beach at Lake Como.
5. The Town strongly encourages that The Lindens be utilized to provide additional public access, historical interpretation, and shared use for areas residents and organizations.

6. The Town shall continue to partner with the Boys and Girls Club, Smyrna-Clayton Little League, Smyrna-Clayton Little Lass, Smyrna Swim Club, Kent County Parks & Recreation Department, and other area organizations to provide a variety of quality recreational programs (indoor and outdoor) to Smyrna area residents.
7. The Town seeks to develop a long-term vision and plan for the development of the 29.83-acre Town yard waste disposal yard along Duck Creek Road into a public park.
8. The Town seeks to connect public and private open spaces, facilities, and neighborhoods through a series of trails and shared use paths.

#### Farmland Preservation Planning Goals

1. The Town shall explore creating a municipal Transfer of Development Rights (TDR) Program to permanently protect those 'Green Belt' parcels on the periphery of the Town's municipal boundary and as identified on Exhibit \_ of this Plan. The Town shall partner with the Delaware Agricultural Lands Preservation Foundation, New Castle County, and Kent County Levy Court to permanently preserve the before-mentioned 'Green Belt' parcels where practical.

## **SECTION 11 - INTERGOVERNMENTAL COORDINATION**

Straddling two metropolitan regions (Wilmington and Dover) and two counties (New Castle and Kent), the Town of Smyrna's ability to harness and respond to new development, growth, and economic opportunities is linked to its ability to coordinate planning activities with neighboring jurisdictions and state and regional agencies. The Town of Smyrna is committed to partnering with state, county, and neighboring municipal governments and agencies to help ensure that the goals and objectives outlined in this Comprehensive Plan are brought to fruition.

The Town of Smyrna maintains a close relationship with staff and elected officials at Kent County Levy Court. Smyrna's sanitary sewer system is connected to and a contract user of the Kent Regional Wastewater Treatment Facility in Frederica, and whose capacity is pivotal to the continued growth and development of the Town. Smyrna staff members have remained in close contact with the staff at the Kent County Department of Planning Services throughout the planning process for this Comprehensive Plan, especially as it relates to the Town's expanded annexation area southward along U.S. Route 13. In 2017-2018, Smyrna staff members and Planning Commission members provided comments to and participated in online surveys as part of the 2018 Kent County Comprehensive Plan Update.

Smyrna staff members met with the New Castle County Department of Land Use leadership team on August 23<sup>rd</sup> 2020 to discuss the policies outlined in this Comprehensive Plan, especially as it relates to changes in the Annexation Future Land Use Map and the new development that is projected to occur north of Duck Creek. The Town of Smyrna has been an active participant in the Southern New Castle County Master Plan throughout 2019-2020, and whose staff also serve on the New Castle Interagency Workgroup for the NCC 2022 Comprehensive Plan.

Sharing a common municipal border, Smyrna is closely tied to the adjacent Town of Clayton. This draft Comprehensive Plan was mailed to the Town of Clayton in November 2020. The Town of Smyrna also maintains a close relationship with staff and elected officials at other downstate municipalities, especially as it relates to economic development coordination.

As the largest population center within the Smyrna School District, the Town of Smyrna continues to coordinate with the school district to identify additional new school sites through the development review process. This is essential since both the Town of Smyrna and the enrollment of the Smyrna School District are projected to significantly grow in the coming decade.

The Delaware Office of Planning Coordination has provided valuable assistance in the formation and update of this Comprehensive Plan. Smyrna staff members have sought and obtained resources and assistance from other state agencies in the writing of this Plan, including DelDOT, Delaware Transit Corporation, Kent Conservation District, the Division of Historical & Cultural Affairs, the Delaware Prosperity Partnership, and the Delaware State Housing Authority. The Town of Smyrna seeks to foster and maintain a close working relationship with staff and leadership of the various State agencies, especially as it relates to ensuring an orderly, predictable, and transparent development review process. The Town of Smyrna provided input



into the formation of the Delaware 2020 Strategies for State Policies and Spending. The municipal boundaries of Smyrna remain located in areas designated as Investment Level 1 and 2 on this Plan.

Lastly, the Town's staff and elected officials are active members of the Delaware League of Local Governments, the Kent Economic Partnership, the Greater Kent Committee, the Kent Tourism Corporation, the Dover/Kent Metropolitan Planning Organization (MPO), the Delaware Chapter of the American Planning Association and the International City Manager's Association (and their Delaware chapters), the Board of Directors of the Delaware Municipal Electric Corporation (DEMEC) and other organizations that offer opportunities for intergovernmental and other coordination.

## **CHAPTER 4 IMPLEMENTATION**

In order for the 2020 Comprehensive Plan to be an effective tool for guiding new growth and development and improve the quality of life for Smyrna residents more generally, it must outline a framework for implementation to include specific actions to be completed in the near, mid, and long term. This chapter identifies action items necessary for implementation of this Comprehensive Plan, along with a timeline and local/regional/state partners and agencies that will be involved. The goals, objectives, and action items outlined at the end of this chapter are more general in nature than those specified in Chapter 3 of this Plan.

In accordance with the Title 22 of the Delaware Code, the Town of Smyrna is required to do the following:

- Section 702(c): Within 18 months of the adoption of this Plan, it must amend its Zoning Map to rezone all land in conformance with those uses identified in the Future Land Use Map and Annexation Future Land Use Map outlined in this Plan.
- Section 702(e): Within five (5) years of adoption, review this Plan to determine and ensure that its provisions are still relevant.
- Section 702(g): Submit annual reports to the Office of State Planning Coordination by July 1<sup>st</sup> outlining progress and compliance with the adopted Comprehensive Plan.

Since the adoption of the 2012 Smyrna Comprehensive Plan Update, the following goals, objectives, and recommendations outlined in said Plan have been completed or implemented:

### **Progress 2012 - 2020**

- In 2013-2014, formulated and adopted the NC – North Corridor and SCZ – South Corridor Zoning Districts to guide new commercial and mixed-use development along the U.S. Route 13 corridor. These two districts (created as a hybrid Form-Based Code) replaced the HC – Highway Commercial zoning district along the northern and southern periphery of U.S. Route 13, although a comprehensive rezoning was never completed. To date, four parcels have been rezoned to NC while twelve have been rezoned to SCZ.
- In 2013, created ‘Planned Village Community’ (PVC) Conditional Use option and accompanying design standards to guide new residential development. To date, two small residential subdivisions have utilized the PVC design standards. The PVC design standards were completely re-written, expanded, and re-adopted by the Town Council in 2020.

- In 2014, the Town of Smyrna contracted with a third-party consultant with grant assistance from Downtown Delaware to complete a re-branding and wayfinding initiative.
- In 2015, the Town obtained \$300,000 in grant funding from USDA Rural Development, which was subsequently disbursed by the Smyrna Slum Clearance & Redevelopment Authority in the form of low-interest loans to redevelop and renovate historic commercial and mixed-use buildings in the downtown commercial district.
- In August 2016, Smyrna was designated a Downtown Development District (DDD) by the State of Delaware. The Smyrna Economic Development Committee, with the assistance of a third-party economic development consultant and staff members, drafted 'An Economic Development Strategy for the Town of Smyrna' which was adopted by the Town Council in May 2014. This Plan served as the basis for the Town's DDD application. The DDD boundaries were expanded in May 2017, September 2018, and March 2020.
- In 2017, the 206-acre Duck Creek Business Campus was subdivided and recorded. Municipal utilities were brought to the site in 2018, while roads and curbs were constructed in 2019. This business park will serve as the primary economic engine and employment center throughout the next ten-year planning period.
- In 2018, the Phase I of the North Duck Creek Utility Project was completed, which brought water, sewer, and electric infrastructure north of Duck Creek along the east side of U.S. Route 13 (including the Smyrna Rest Area and Duck Creek Business Campus). KCI Technologies, the Smyrna Town Engineer, is in the process of designing Phase II of this project, which will connect those properties along the west side of U.S. Route 13 (looping around Joe Goldsborough Road to Duck Creek Road) and will also include the construction of a new water tower.
- Since the adoption of the 2012 Comprehensive Plan update on February 4, 2013, the Town of Smyrna has annexed 28 parcels totaling 140.77 acres. The largest of which was the 88.21-acre Smyrna Rest Area annexed in 2017. The Town of Smyrna has diligently worked to extend municipal utilities to those newly annexed parcels north of Duck Creek.

#### Adoption of 2020 Comprehensive Plan

The process for adopting a Comprehensive Plan is outlined in the *Delaware Code, Title 29, Section 9103*. A proposed Comprehensive Plan is submitted to the Office of State Planning Coordination (OSPC), which shall solicit comments and be reviewed by State agencies and potentially impacted neighboring jurisdictions. This is accomplished through the Preliminary Land Use Service (PLUS) and shall provide the municipality with a report of the following:

- Documenting the degree to which the municipality has incorporated the State's goals, policies, and strategies;

- Listing findings, recommendations, and objections, including adverse fiscal impacts;
- Identifying improvements, revisions, or other actions desired to address and resolve inconsistencies;
- Setting forth a timetable and process for negotiations with the county or municipality for achieving consistency.

The Final Draft of this Comprehensive Plan (Dated \_\_\_\_\_, \_\_, 2020) was submitted for PLUS review on October 28, 2020, and the PLUS comment review letter was received on November 30, 2020. The Town provided an opportunity for adequate public review and comment on the draft Comprehensive Plan. Public workshops were held on \_\_\_\_\_ and \_\_\_\_\_ 2020. The Comprehensive Plan was formally adopted by the Smyrna Town Council on \_\_\_\_\_, \_\_ 2020, and was subsequently certified by the Governor on \_\_\_\_\_, \_\_ 2020.

### Comprehensive Rezoning

As part of the Comprehensive Plan implementation process, the Town's Official Zoning Map must be evaluated for consistency with the Land Development Plan, specifically the Future Land Use Map as shown in Figure \_\_. Within 18 months of the adoption of the 2020 Comprehensive Plan, the Town must amend the Zoning Map to rezone any land whose zoning would otherwise be inconsistent with the Land Development Plan (Chapter 3) of this Plan. This will include the creation of the following new zoning districts:

- Downtown Residential District
- Planned Village Community District
- Corridor Commercial District

Smyrna's Zoning and Subdivision Ordinances date from 1964, and have both been subsequently amended dozens of times over the decades. The result has been conflicting and outdated standards and language, which makes it difficult for staff to administer. Following the adoption of this Plan, the Town shall engage a third-party planning consultant to assist Town staff to completely rewrite and adopt new zoning and subdivision ordinances. This should include, among other things, a comprehensive use table and bulk standards table for each zoning district and visual guides and standards where practicable for ease of use and transparency. The Town also strives to streamline the development review process in an effort to make it more transparent, efficient, predictable, and easier to administer.

#### Near Term Goals and Objectives (within 1-2 years of Plan adoption)

- The Town shall complete the design for and seek state and/or federal funding for the North Main Street Streetscape and Utility Project and Phase II of the North Duck Creek Utility Project (East side of U.S. Route 13 to include a loop down Joe Goldsborough Road and Duck Creek Road).
- The Town shall coordinate with and provide input of proposed or recommended transportation projects to be included in the Dover/Kent MPO 'Innovation 2045' Metropolitan Transportation Plan (MTP).
- The Town shall sign a Memorandum of Agreement with DelDOT regarding shared streetscaping and development review standards for those new projects in the U.S. Route 13 corridor.
- The Town shall create and maintain a prioritization and scoring system for the repair, repaving, and/or construction of new sidewalks, curbs, and streets.
- The Smyrna Economic Development Committee shall update the 2014 Smyrna Economic Development Strategy to include tangible and obtainable goals and objectives.
- The Town shall explore the creation and implementation of a municipal Transfer of Development Rights (TDR) program to protect those large agricultural properties identified as 'Greenbelt' on the Annexation Future Land Use Map (Figure 4).
- The Town seeks to obtain and retain status as a Main Street Affiliate through the National Main Street Center. The Town shall partner with the Smyrna Downtown Renaissance Association and Delaware on Main (an office of the Division of Small Business) in this endeavor.
- The Town shall review and consider revising regulations in the Town Code pertaining to housing to ensure that the Town Code does not disproportionately and negatively affect protected classes and is in compliance with the Federal Fair Housing Act.
- The Town shall update its 2007 Master Parks Plan to outline what improvements and amenities will be added or constructed on existing Town-owned parkland, and to provide strategies for the targeted acquisition of additional parkland and facilities.
- The Town shall hire a third-party consultant to complete an analysis of future growth projections and expected municipal capital and infrastructure needs to update the Town's impact fees levied for new development.
- The Town shall complete and submit a Notice of Intent (NOI) to comply with the pending Phase II MS4 Tier II General Permit for stormwater management.

#### Mid Term Goals and Objectives (within 5 years of Plan adoption)

- The Town shall complete and adopt an Open Space Master Plan for the improvement and development of existing town-owned parks and properties, and

- for the acquisition of other targeted properties for active or passive recreation.
- The Town shall either expand the existing Smyrna National Register Historic District or create a new National Register Historic District in west Smyrna (i.e. Turner's Row, Spruance City, etc.). The boundaries of the Smyrna Historic Overlay District should be revised to conform with the National Register District(s) wherever possible.
  - The Town shall seek status as a Certified Local Government through the Division of Historical & Cultural Affairs and the National Park Service.
  - The Town shall coordinate with Delaware Transit Corporation (DTC) to either expand the number of DART bus stops and/or create a special circular bus route for the Town of Smyrna. The Town also seeks the improvement of existing bus stops with covered bus shelters and an adequate pedestrian path wherever possible.
  - The Town shall explore creating and funding a mechanism for the Smyrna Slum Clearance and Redevelopment Authority (RDA) to purchase, renovate, and re-sell blighted properties and buildings in Smyrna. The Town should also explore obtaining additional grant funding to restart the redevelopment lending program through the RDA.
  - The Town shall complete the design for and seek state and federal funding for Phase III of the North Duck Creek Utility Projects (north of the U.S. Route 13/SR 1 crossover).
  - The Town shall, in coordination and assistance from the Town Engineer and DNREC staff, develop and implement a Stormwater Management Program Plan. This should also include the adoption of a stormwater management ordinance to guide new development and encourage best management practices.

#### Long Term Goals and Objectives (within 10 years of Plans adoption)

- The Town shall explore the creation of a Transportation Improvement District (TID) to manage and pay for transportation and other utility-related improvements north of Duck Creek.
- The Town shall explore the creation of a municipal parks and recreation department to coordinate recreational activities.
- The Town encourages the construction of an adequately sized library that meets the needs of the greater Smyrna community.

#### Ongoing Goals and Objectives

- Commit to regular review and updating of Smyrna's Comprehensive Plan, development of ordinances, facilities plans, and utility policies to ensure that Smyrna is a model for sensitive, sensible, and livable development. The Smyrna Town Council shall hold an annual public hearing to review the status and progress of items outlined in this Comprehensive Plan.

- The Town of Smyrna shall provide adequate training and continuing education opportunities for members of the Planning Commission, Board of Adjustment, and Historic District Review Board.
- The Town shall continue to complete necessary economic market analyses on a periodic basis to ensure that the Town is targeting the appropriate businesses and industry sectors.
- The Town shall partner with DNREC, Kent County Levy Court, New Castle County, and other local partners to implement and meet the standards set forth in the Smyrna River TMDL.
- The Town shall continue to educate and encourage property owners, businesses, and developers to redevelop buildings and properties within the Downtown Development District utilizing town, county, state, and federal grants and tax credits.
- The Town shall continue to retain a business development consultant to assist businesses, developers, and property owners (particularly in the downtown commercial district) to locate or expand their business and to assist in the redevelopment of said properties.
- The Town shall continue to retain a marketing consultant(s) to assist in the branding and marketing of Smyrna and Town-sponsored events.
- The Town shall continue to partner with county and state economic development agencies to coordinate economic development efforts on a regional scale.
- The Town shall comply with the requirements and milestones set forth in the pending Phase II MS4 Tier II General Permit.
- The Town shall encourage the owners of known or suspected contaminated sites and facilities to apply for funding from the Delaware Brownfields Program to remediate and redevelop their properties.

## **Appendix A: Annexation History of Smyrna**

1857-1960	Town consisted of one square mile.
5/5/61	74 Acres annexed, Delaware Home & Hospital
7/3/63	137 Acres, Cottage Dale Acres
10/2/63	40 Acres, Portion of Sunnyside Acres
7/15/64	Lot (115' x 145'), Vaughn
9/2/64	33 Acres, Portion of Glenwood Development
5/5/65	155 Acres, Ennis/Stokesbury (Green Meadows)/Pratt
8/7/67	320 Acres, High School/Johnson Farm/Municipal Park
1/14/71	40 Acres, Portion of Sunnyside Acres/Odd Fellows
9/7/71	1.3 Acres on South Street, Slaughter
6/3/74	76 Acres, Wick Farm
4/16/79	7 Acres, Turners Row
8/17/87	Block bound by Commerce, Mt. Vernon, Howard & Upham
10/5/87	337 Acres, Mitchell Farm
8/1/88	14 Acres, General Clothing
1/17/89	Block bound by Howard, Mt. Vernon & S/C Blvd.
11/6/89	Block bound by Howard, Commerce, Lexington and Upham
1/2/90 22	Acres, McAllister
12/10/90	1.8 Acres (3 parcels) on Southwest corner of U.S. 13 and Belmont, Schreppler/Lamb
7/20/91	0.5 Acres (2 parcels) on W. South, Gilman (HJH)



10/7/91	0.9 Acres (2 parcels) on N. Carter, Messick	
11/4/91	1.5 Acres (4 parcels) on S. Clement, Turner/Ballard/Ireland/Burris	
8/21/95	13.5 Acres, Davis 290 Acres, Brown 0.4 Acres in Spruance City, English/Harrington 11 Acres west of U.S. 13, Newburg 0.8 Acres, Sunnyside Road, Keen	
6/3/96	82.18 Acres (6 parcels) east of U.S. 13, Beiser/Gambacorta/Ramunno/State of Delaware	
11/4/96	35 Acres east of U.S. 13, Beiser Group 0.54 Acres north of Glenwood Ave., Caldwell	
2/18/97	0.6 Acres at intersection of Rt. 300 and Rt. 6, Staats Gas	
9/2/97	2.94 Acres west of Rt. 13, Pappas/Hayes	
12/29/99	23,200 sq. ft., 1466 S. duPont Highway, Morrow	
4/2/00	0.4683 acres, 16 S. Carter Road, Archer	
12/18/00	190.3 acres, SW side of Smyrna Leipsic Road, Blendt Est.	Beatrice
12/18/00	51.9 acres, west of Cedarbrook, south of lands of Elizabeth Brown, east of lands of Robert Paul Wick, Wick Farm	
04/21/03	213.27 acres on the east and west sides of Rabbit Chase Road between Sunnyside Road and Brenford Road Lands of Liborio III	
04/21/03	28.14 acres between Sunnyside Road and Wilson Place, Capson of Brandywine LLC	
08/18/03	27.75 acres at intersection of Duck Creek Road and Joe Goldsboro Road, Town of Smyrna	
08/18/03	55.779 acres south side of Joe Goldsboro Road, between Route 13 and Duck Creek Road, Tappahanna Construction	

08/18/03	103 acres on the north side of Brenford Road, west of Route 13, Wisk
08/18/03	180.43 acres on both sides of Duck Creek Road, Watson
08/18/03	60.95 acres, Duck Creek Road and Joe Goldsboro Road, Sharoff
08/18/03	166 acres at 166 Brick Store Landing Road, Jurgens
02/02/04	1.92 acres, 721 W. Glenwood Avenue. Norton
04/19/04	1 acre, 2334 S. DuPont Highway, Barrett
04/19/04	11.90 acres, 2352 S. DuPont Highway, Kellner
06/21/04	0.8150 acre, fronting on Howard Street & Lexington Avenue, Juanita LLC
06/21/04	2 lots on the nw corner of the intersection of Howard Street & Lexington Avenue, Slaughter
06/21/04	100 acres, north side of Brenford Road, east and west sides of Rabbit Chase Road, Lamberta Estate
06/21/04	40 acres, north side of Brenford Road, Burris
06/21/04	11,424 sq. ft., 614 Lexington Avenue, Dorrell
08/02/04	Lots on south side of Lexington Avenue between Clements Street and Howard Street, McGrath
08/02/04	Lots at 513 and 521 Lexington Avenue, Davis
09/20/04	36,000 sq. ft., 1350 S. DuPont Highway, 1350 Assoc.
09/20/04	1.6529 acres, 1382 S. DuPont Highway, McClary
09/20/04	1.0124 acres, 1414 S. DuPont Highway, Gemini LLC
09/20/04	9 acres, 1594 S. DuPont Highway, Smyrna Two LLC

09/20/04	1.82 acres, 1600 S. DuPont Highway, Smyrna Two LLC
09/20/04	0.6749 acres, 1628 S. DuPont Highway, Smyrna Realty
10/18/04	23 S. Upham Street, Fitzgerald
11/01/04	616 Smyrna Leipsic Road, Sipple
12/20/04	28,752 sq. ft., 95 Cedarbrook Drive, Lesnewski
12/20/04	0.6920 acres, 704 Sunnyside Road, Lonely Street LLC
08/15/05	2.1671 acres, north side of W. Glenwood Avenue, Watson
7/18/05	35.80 acres, 42 Brenford Road, Sylvan Valley Real Estate
2005	2.1671 acres, 714 and 722 West Glenwood Avenue, Dee Watson
2005	0.6920 acres, 704 Sunnyside Road, Lonely Street, LLC
2005	0.66 acres, 95 Cedarbrook Drive, Lesnewski
2006	0.23 acres, 5543 duPont Parkway, Flores
2006	1.82 acres, 5722 duPont Parkway, Hoffecker
2006	2.07 acres, 5745 duPont Parkway, Stover Builders, Inc.
2006	25 acres, 1181 Duck Creek Road, SBCL, LLC
2006	2.11 acres, 5812 duPont Parkway, 5814 duPont Parkway, & 5816 duPont Parkway, Oakridge Holdings of Delaware, LLC
2006	41.23 acres, 1511 Paddock Road, KRM Development Corporation
2006	3.45 acres, 5511 duPont Parkway, Horsey
1/10/07	0.77 acres, north side of Carter Road, Slaughter
1/10/07	0.536 acres, intersection of North Carter Road and Wheatley's Pond Road, Bayhealth

1/10/07	0.5587 acres, 32 South Clements Street, Sapp
1/10/07	0.09 acres, 535 Lexington Avenue, Lowman
1/10/07	0.08 acres, 28 South Howard Street, Hurtt
1/17/07	5 acres, 1779 and 1797 South duPont Boulevard, Warren
8/6/07	2.16 acres, 5495 South duPont Parkway, Wildcat, LLC
8/6/07	9.12 acres, 1273 Duck Creek Road, Catts
8/6/07	13.67 acres, 5408 duPont Parkway, Biddle
9/4/07	38.86 acres, north east side of Brenford Road, Sedmont
9/4/07	0.74 acres, 41 South Howard Street, Budd
2007	1.09 acres, 5573 South duPont Highway, 13 Smyrna LLC
2007	1.077 acres, north end of Myrtle Street, English
6/8/08	1.57 acres, 5744 duPont Parkway, Lattomus
9/15/08	0.33 acres, 14 South Clements Street, Pennington
11/17/08	5.09 acres, 5838 duPont Highway, SSC, LLC
2008	1.359 acres, 616 West Glenwood Avenue, Infante
12/9/09	0.067 acres, 13 North Howard Street, Faust
12/7/09	0.69 acres, 5525 DuPont Parkway, Horsey
12/6/10	1.67 acres, 900 West Glenwood Avenue, American Legion
3/7/11	0.55 acres, 30 South Carter Road, Shane
4/4/11	0.50 acres, 38 South Carter Road, Cereghin
10/3/11	0.81 acres, 18 Myrtle Street, Fletcher
4/2/12	1.74 acres, 949 South Dupont Boulevard and adjacent lot, Fox

6/18/12	30.5 acres, 217 Smyrna-Leipsic Road, State of Delaware (Belmont Hall)
3/4/13	0.37 acres, 110 N. Carter Road, Zikowitz
3/4/13	0.53 acres, 390 Sunnyside Road, Masten
11/4/13	0.76 acres, 49 Myrtle Street & 2 adjacent vacant lots, Fretz
4/7/14	2.81 acres, 5807 S. Dupont Hwy, Affordable Home Enterprises, Inc.
4/7/14	5.29 acres, 5806 S. Dupont Hwy, KRM Development Corporation
9/5/14	0.74 acres, 602 Smyrna Leipsic Road, Young
10/20/14	0.87 acres, 652 W. Glenwood Ave, Lebel
12/1/14	0.29 acres, 618 Lexington Ave, Budd
3/16/15	19.29 acres, 652 N. Main Street, State of Delaware (The Lindens)
5/18/15	0.33 acres, 4583 Brenford Road, 4583 Brenford, LLC
5/18/15	0.61 acres, 604 W. South Street, Gilman
7/20/15	0.11 acres, 43 S. Howard Street, Faqiri
9/8/15	0.48 acres, 1244 S. Dupont Blvd, Talley, Inc.
9/8/15	0.3 acres, 43 Woodlawn Drive, Gott
4/17/17	88.21 acres, 5500 DuPont Pkwy, State of Delaware (Smyrna Rest Area)
7/17/17	0.32 acres, 389 Sunnyside Road, Christine
12/18/17	0.11 acres, 5 & 7 S. Howard St and adjacent 2 parcels, Gearhart
2/20/18	1.4 acres, 1093 S. DuPont Blvd, Talley, Inc.
2/20/18	0.23 acres, 1161 S. DuPont Blvd, Liborio III, L.P.
2/20/18	1.8 acres, 1165 S. DuPont Blvd, Liborio III, L.P.
6/18/18	11.19 acres, 655 W. Glenwood Ave, Shadaw Enterprises, LLC

8/20/18	0.93 acres, 385 Sunnyside Road, Moore
11/19/18	1.26 acres, 512 Smyrna Leipsic Road, WRK Construction, LLC
1/21/20	1.61 acres, 5501 Dupont Parkway, Town of Smyrna
3/16/20	0.51 acres, 1843 S. Dupont Blvd (2 parcels), Lewis Uhlendorff
3/16/20	0.42 acres, 1879 S. Dupont Blvd (2 parcels), Jeff Uhlendorff-Springfield

## **Appendix B – Residential Subdivision Totals**

<b><u>Subdivision</u></b>	<b><u>Type of Housing</u></b>	<b><u>Total # of Units</u></b>	<b><u>Units Built to Date</u></b>
Ashland	SFD	150	69
Bergmont Woods	DUP	128	51
Bombay Woods	SFD	161	161
Bon Ayre	MH	404	232
Brenford Station, Section 2	SFD	67	67
Cambria Village	TH	278	218
Christina Apartments	APT	72	72
Duck Creek Crossing	SFD	47	not started (expired)
Eagles View	TH	145	145
Gardenside	SFD	41	41
Graceville/Centerville	SFD	430	not started (vested)
	DUP	426	29
Hickory Hollow	SFD	325	325
Huntfield	SFD	29	28
Juanita, LLC	TH	24	24
Lake Como Woods	SFD	63	55
Liborio III Mixed-Use	APT	48	0
Lincoln Place	APT	8	8
Mount Vernon Proper	TH	10	10
North Park	TH	34	not started (vested)
School House Village	SFD	41	41
Simons Corner Apartments	APT	270	0
Sunnyside Village	SFD	234	228
	TH	139	139
Sunnyside Village Apartments	APT	234	234
Towne & Country	SFD	111	111
Watson Farm	SFD	460	not started (expired)
	TH	109	not started (expired)
	APT	288	not started (expired)
West Shore Phase I	SFD	47	47
West Shore Phase II	TH	32	32
Weston Village	SFD	1	1
	DUP	10	10
Woodland Manor Phase I-III	SFD	16	16
	TH	219	205
Worthington	SFD	40	not started
	DUP	206	60
	TH	303	123

Total Approved Residential Subdivision Dwelling Units:

5,650

Total Built Dwelling Units:

2,782

## **Appendix C: Memorandum of Understanding**

### **MEMORANDUM OF UNDERSTANDING**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is hereby made this 23rd day of May 2005, by and between the Town of Smyrna ("Town"), a municipal corporation of the State of Delaware, Dee A. Watson, Jr., a citizen of the State of Delaware, D. Wat, L.L.C., a Delaware limited liability company, Goldsborough Road Development, L.L.C., a Delaware limited liability company (collectively referred to as the "Plaintiffs") and New Castle County ("County"), a political subdivision of the State of Delaware and states as follows:

WHEREAS, the Plaintiffs brought an action seeking declaratory relief against Kent County and New Castle County in Delaware Chancery Court in and for Kent County (Civ. A. No. 244-K), such action was then transferred to the Delaware Superior Court in and for Kent County (Civ. A. No. 04c-11-047).

WHEREAS, the main issue in the litigation was whether Kent County could legally provide sanitary sewer treatment services to effluent collected in and from areas that were recently annexed by the Town but located within New Castle County, without the County's express agreement. By Memorandum Opinion dated January 24, 2005 and subsequent Order, the Superior Court granted Plaintiffs' request for declaratory relief.

WHEREAS, the County filed an appeal in the Delaware Supreme Court (No. 103, 2005) and shortly thereafter, the Town and the County initiated discussions with the intention of resolving the litigation. Discussions among the parties and the State of Delaware Office of State Planning Coordination have resulted in the terms and agreements contained in this MOU.

WHEREAS, the parties to the litigation have agreed to dismiss the action based upon the following terms and agreements.



Fig. No. 1 No. 2 Fig. No. 1 Fig. No. 2

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the parties to this MOU, intending to be legally bound, do hereby agree to the following:

1. The Town agrees to work with the State of Delaware Office of State Planning Coordination ("OSPC") and the State of Delaware Department of Natural Resources and Environmental Control to develop and adopt Source Water Protection Regulations prior to the state's 2007 deadline. The Town further agrees to strengthen its regulations addressing water recharge areas, floodplains, riparian buffers, forest protection and other environmental resources.
2. The Town agrees to work in partnership (including the Town, the County, the OSPC, developers, and non-profit entities) in an effort to create a green buffer between the Town's growth area and surrounding areas in the County, including but not necessarily limited to, the land known as the R.C. Peoples farm and the Kemp farm.
3. The Town acknowledges that the parcels lying within the Town's growth area west of Duck Creek Road are designated for "low-density residential" development on the Town's Comprehensive Plan adopted February 18, 2003 and are or will be zoned "R-1" or "R-1-A" in accordance therewith. The Town agrees that it will not seek to revise the zoning classification for such lands or the Town's Comprehensive Plan without proceeding through the statutorily-mandated procedures for such revisions or amendments, including those provisions codified in Delaware Code title 29, chapter 92 and known as the "Preliminary Land Use Services" or "PLUS."
4. The Town agrees to encourage the use of good community design principles as set forth in the Better Models for Development publication for all developments located north of Duck Creek.

5. New Castle County agrees to withdraw its request concerning the local service function budget tax credit for the annexed parcels located in the County as set forth in Chief Administrative Officer David Singleton's letter of April 12, 2005.

6. Inasmuch as the County no longer objects to Kent County's treatment of effluent collected by the Town within those lands annexed by the Town and located in the geographic boundaries of the County, the County agrees to withdraw its appeal presently pending in the Delaware Supreme Court (Case No. 103, 2005).

7. Lands located within the Town's growth area which have not yet been annexed by the Town will be governed, upon annexation, by the provisions of paragraph 2, 3 and 4 above.

8. The Town will encourage an integrated commercial and mixed use development pattern tied to appropriate utility services along the US 13 corridor, including adopting a special overlay district to encourage well designed commercial development of the corridor. The Town represents that the overlay district development process is well under way. The Town represents its intention to annex all properties along US 13 south of the SR1 interchange, whether developed or not, so that they can be properly regulated and adequately serviced with all Town utilities.

9. The Town agrees that it will restrict annexations outside of its designated growth area as identified in its adopted Comprehensive Plan approved February 18, 2003 until 2012; that is, the Town shall not seek to extend its growth area beyond its current Comprehensive Plan limits until 2012.

10. The Town pledges to fully participate in both County and state planning processes in the future. New Castle County pledges to participate in the Town's future Comprehensive Plan revisions and updates.

Fig. No. 1 40. 2 Fig. No. 1 40. 2

11. The Town agrees that plans of service will be prepared for the areas to be considered for annexation in its growth area and to fully utilize the PLUS process to ensure good design and maximum intergovernmental coordination.

12. To the extent permitted by law, this MOU and the agreements provided herein shall be binding upon the parties hereto and upon their respective successors and assigns.

13. There are no third party beneficiaries to this MOU and the terms of this agreement may only enforced by the parties executing this MOU.

14. This Agreement shall be governed by the laws of the State of Delaware.

[signature page to follow]

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Understanding under their respective hands and seals the day and year first written above.

Witness:

Carol C. McKinney

For the Town of Smyrna:

BY: [Signature] (SEAL)  
Name: Mark G. Schaffner  
Title: Mayor

Witness:

Robert J. Richards

For New Castle County:

BY: [Signature] (SEAL)  
Name: Christopher A. Coons  
Title: County Executive

Witness:

Carol C. McKinney

For D. WAT, L.L.C.:

BY: [Signature] (SEAL)  
Name: Dee A. Watson  
Title: Managing member

Witness:

Carol C. McKinney

Dee A. Watson:

BY: [Signature] (SEAL)  
Name: Dee A. Watson

Witness:

[Signature]

Goldsborough Road Development, L.L.C.:

BY: [Signature] (SEAL)  
Name: Daniel H. Kraft  
Title: Authorized Person

The State of Delaware Office of State Planning Coordination approves this MOU as to form and substance:

BY: [Signature]  
Name: Christina P. Hall  
Title: Director of Planning

## **Appendix D: Comprehensive Plan Maps**

<b>Figure No.</b>	<b>Name</b>
1	Existing Land Use Map
2	2020 Zoning Map
3	Future Land Use Map
4	Annexation Future Land Use Map
5	Annexation History Map
6	2020 State Strategies Map
7	Vacant Building Lots Map
8	Sanitary Sewer Facilities Map
9	Water Facilities Map
10	Street Map
11	Historic Resources Map
12	Downtown Development District Map
13	Flood Zone Map
14	Conservation Areas Map
15	Parks and Open Spaces Map